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MASTERPIECES OF MODERN ORATORY

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MASTERPIECES OF

MODERN ORATORY

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UNIVERSITY OF TEXAS

GINN AND COMPANY

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PREFACE

The fifteen orations in this volume are intended to furnish models for students of Oratory, Argumentation, and Debate. For the most part the orations are given without abridgment. In making the selection the aim has been to include only orations that (1) deal with subjects of either contemporary or historical interest, (2) were delivered by men eminent as orators, and (3) are of inherent literary value. There are of course many orators and orations in modern times that fulfill these tests, but it is believed that the orations selected are fairly representative. A further aim has been to secure such variety in the selections as to cover in a single volume the fields of deliberative, forensic, pulpit, and demonstrative oratory, and so to meet the needs of classes both in argumentation and oratorical composition.

If we give relatively less attention nowadays to the art side of oratory, — the manner of delivery, — there is all the more need of studying the matter, — the invention, organization, and expression of the thought. The young men in our schools and colleges, who in a small or large way are bound to be called upon to speak in public, should be taught how to compose for a hearer as distinguished from a reader — how to construct an oration as distinguished from an essay. To this end oratorical models should be critically studied in order that the student may learn and appreciate how masters have wielded the language for the purposes of conviction and persuasion. And this should be made an intensive rather than an extensive process. To become thoroughly acquainted with one great oration is better than a cursory reading of many

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orations, and especially better than reading the extracts contained in books of "choice selections."

With a view of such intensive study each oration in this volume is preceded by an introduction, and bibliographies and notes are given on pages 339 to 369 inclusive. In the notes, which are here and there in the form of suggestive questions, the editor has tried to incorporate only such comments as will illuminate the text for the average student, and has tried to avoid explanation of the familiar or obvious. To avoid confusion to the general reader, the notes are put by themselves in the back part of the book; and even for the special student, each oration should first be read independently of the notes, whatever use may subsequently be made of them.

Grateful acknowledgment is made to Little, Brown & Co. for permission to use the text of Webster's speech as contained in the volume, *Webster's Great Speeches and Orations;* to the O. S. Hubbell Company, publishers of *The Lincoln-Douglas Debates*, for the text of Lincoln's speech; to Lee & Shepard, publishers of the *Speeches, Lectures, and Letters of Wendell Phillips*, for the oration by Phillips; to Harper & Brothers, publishers of the *Orations and Addresses of George William Curtis*, for the oration by Curtis; to Fox, Duffield & Co., publishers of Watterson's *Compromises of Life*, for the speech by Watterson; to Honorable W. Bourke Cockran, for the use of his oration on Marshall; to Callaghan & Co., publishers of Dillon's *John Marshall*, which contains Mr. Cockran's oration; to Bishop J. L. Spalding for permission to use his address on "Opportunity," contained in a volume entitled *Opportunity, and Other Essays and Addresses*, published by A. C. McClurg & Co.; and to the Reverend Dr. Henry van Dyke for the use of his baccalaureate sermon on "Salt."

E. D. S.

THE UNIVERSITY OF TEXAS
September, 1906

CONTENTS

CONCILIATION WITH THE AMERICAN COLONIES — EDMUND BURKE

PAGE

Introduction 3
Text 11
Notes 339

THE MURDER OF CAPTAIN JOSEPH WHITE — DANIEL WEBSTER

Introduction 53
Text 65
Notes 345

"A HOUSE DIVIDED AGAINST ITSELF CANNOT STAND" — ABRAHAM LINCOLN

Introduction 129
Text 133
Reply by Douglas 142
Rejoinder by Lincoln 146
Notes 348

THE SCHOLAR IN A REPUBLIC — WENDELL PHILLIPS

Introduction 153
Text 159
Notes 350

THE PUBLIC DUTY OF EDUCATED MEN — GEORGE WILLIAM CURTIS

Introduction 189
Text 192
Notes 353

THE RACE PROBLEM IN THE SOUTH — HENRY W. GRADY

PAGE

Introduction 211
Text 214
Notes 355

THE PURITAN AND THE CAVALIER — HENRY WATTERSON

Introduction 235
Text 237
Notes 356

EULOGY OF ROBERT E. LEE — JOHN WARWICK DANIEL

Introduction 243
Text 244
Notes 357

EULOGY OF ULYSSES S. GRANT — HORACE PORTER

Introduction 257
Text 259
Notes 358

THE IMMORTALITY OF GOOD DEEDS — THOMAS BRACKETT REED

Introduction 265
Text 266
Notes 360

TRIBUTE TO MARCUS A. HANNA — ALBERT JEREMIAH BEVERIDGE

Introduction 273
Text 274
Notes 363

MARSHALL AND THE CONSTITUTION — WILLIAM BOURKE COCKRAN

Introduction 279
Text 280
Notes 364

INTERNATIONAL ARBITRATION — CARL SCHURZ PAGE

Introduction 293
Text 296
Notes 364

OPPORTUNITY — JOHN LANCASTER SPALDING

Introduction 311
Text 312
Notes 367

SALT — HENRY VAN DYKE

Introduction 325
Text 326
Notes 368

MASTERPIECES OF MODERN ORATORY

CONCILIATION WITH THE AMERICAN COLONIES

EDMUND BURKE

ON MOVING HIS RESOLUTIONS FOR CONCILIATION WITH THE COLONIES. HOUSE OF COMMONS, MARCH 22, 1775.

INTRODUCTION

Edmund Burke, statesman, orator, and man of letters, was born in Dublin, Ireland, January 12, 1729. His father, a Protestant, was a lawyer with a good practice. His mother was of Irish descent and a Catholic. In 1741 he was sent to school at Ballitore, under the tutorship of one Abraham Shackleton, a Quaker from Yorkshire. In 1743 he entered Trinity College, Dublin. During the five years spent there Burke did not distinguish himself as a student, but he spent much time in reading widely in history, politics, literature, and philosophy, — a habit that was continued throughout his life. Burke's father intended that his son should be a lawyer, and in 1750 Burke was sent to London to pursue his legal studies. Except for the circumstance of his marriage in 1756, his life during the nine years following his removal to London is enveloped in almost complete obscurity. He was entered at the Middle Temple, but was never admitted to practice. General reading doubtless claimed his attention more than the law. He had a strong literary bent, and we find him passing his summers in retired country villages, reading and writing with desultory industry. Having displeased his father by failing to enter the legal profession, Burke found his allowance withdrawn, and was forced to depend chiefly on his pen for a living. In 1765 he became private secretary to Lord Rockingham, the head of the new Whig ministry. Soon after he was returned to Parliament as a member from Wendover, and later from Bristol. He took his

seat in time to participate in the debates which preceded the repeal of the Stamp Act in 1766, and was continuously in Parliament from this time until 1794. He died in 1797.

Some one has said that a passion for order and a passion for justice were the master motives of Burke's life and thought. It is interesting to see how these master passions expressed themselves in dealing with the three great problems in government which arose during his career, — the problems of America, of India, and of France.

In dealing with America Burke was unquestionably at his best. His highly developed sense of justice led him to protest against the paternal policy and high-handed methods of George the Third and his Tory supporters. Burke felt that these methods threatened liberty not only in the colonies, but also in England; hence his plea for justice to the colonists comported with his passion for order. His plan would not violate the principles of the English constitution, while it would insure order and tranquillity in the colonies. Burke was not, however, a thoroughgoing reformer in the modern sense. He has been called the Great Conservative. The basis of his plea for conciliation with the American colonies fell far short of the principles enunciated in the Declaration of Independence. When the Stamp Act was repealed the radical wing of the Whig party, led by Pitt and Fox, would have gone farther and acknowledged the absolute injustice of taxation without representation. Not so with Burke; the declaration of this principle would have been to him a too violent breaking with the traditions of the English constitution, as he conceived them. He therefore warmly supported the Declaratory Act coupled with the repeal of the Stamp Act, which asserted "the supreme authority of Parliament over the colonies, in all cases whatsoever." In both of his speeches on America Burke refuses to discuss the question of taxation without representation. That, he said, was not the main issue. And yet that was the issue which the colonists raised, and the issue which divided the English Whigs. Burke based his arguments solely on expediency, so that, as Goldwin Smith has pointed out, "you cannot extract from him any definite theory of the colonial relation." His conservative attitude, springing from his passion for order, as we have seen, was a strong influence in the disruption of the Whig party, thus preventing a solid front in the opposition to the policy of George the Third.

When the American colonies were forever lost Burke turned his attention to India. For many years he had studied the history and the workings of English rule in India, and when, in 1786, he began a nine years' fight against the injustice and corruption in the government of that country, he was unquestionably the best informed man in England on Indian affairs. In this contest, as in the case of America, Burke's passion for order and for justice did not conflict; and although his efforts to impeach Hastings technically failed, the result was a moral victory, for his masterful array of facts and splendid oratory led to government reforms on a large scale in India.

In 1789 came the crash of the French Revolution. In dealing with the questions thereby involved, Burke's natural conservatism became yet more predominant, for he was growing old. His passion for order prevented a calm consideration of justice as between oppressor and oppressed. He believed the Revolution to be the work of atheists and theorists, who were waging war upon the institutions which preserve order in society, — upon king, nobles, and clergy. So when in 1790 his "Reflections on the Revolution in France" appeared, the Tories and King George, whom Burke had stoutly opposed in the American policy, now hailed him as their shield and defender. As the Revolution developed its worst features, Burke's hatred of it grew, and his non-judicial attitude, violence of temper, and fierce invective, mark a decline of those powers of reasoning and persuasion which appear at their best in the speech on "Conciliation."

The leading characteristics, then, of Burke's political philosophy are opposed to much that is fundamental in modern systems. He belonged to both the old order and the new, — planting himself on the old and prophesying the new. All in all, his title to fame as a statesman lies not so much in his immediate accomplishment as in his influence, — his persistent and eloquent advocacy of those high and noble principles which find justification by their adoption in modern times. Burke brought to politics a terror of crime, a deep humanity, and a keen sensibility. "No one," says Morley, "has ever come so close to the details of practical politics, and at the same time remembered that these can only be understood and dealt with by the aid of the broad conceptions of political philosophy." "He was," says Buckle,[1] "Bacon alone excepted, the

[1] *Civilization in England*, chap. vii.

greatest political thinker who ever devoted himself to the practice of English politics."

As an orator, Burke did not excel in delivery, though often very effective. "The heavy, Quaker-like figure, the scratch wig, the round spectacles, the cumbrous roll of paper which loaded Burke's pocket,"[1] were not prepossessing. He was tall though not robust, angular in his movements, with a somewhat harsh voice that never lost a strong Irish accent, and a temper which, when aroused by opposition or criticism, often weakened the effect of what he said. On the other hand, he possessed many qualities, both natural and acquired, which fitted him for his career as an orator. His Protestant-Catholic parentage, together with the early association with his Quaker tutor, conduced to broad-mindedness and toleration in an age of intense religious bigotry, and gave him sympathy with struggles for liberty and hatred of all forms of oppression. Readiness in thinking on his feet was aided by early practice in a private debating club, and later in the Robin Hood Club in London. Withal, the impress of his native genius was powerfully aided by his unflagging industry,— his thoroughness in getting up his cases. All his great speeches reveal a marvelous mastery of the facts,— a detailed and comprehensive knowledge which make them, as he himself said of the utterances of Alfred the Great, "both minute and sublime."

As to the immediate influence of Burke's oratory, there is much conflicting testimony among his contemporaries. Prior, in his *Life of Burke*, quotes Mr. Curran to the effect that "as an orator Burke surpassed all his contemporaries, and was perhaps never exceeded." And Grattan says: "Burke is unquestionably the first orator among the Commons of England; boundless in knowledge, instantaneous in his apprehensions, and abundant in his language. He speaks with profound attention and acknowledged superiority, notwithstanding the want of energy, grace, and elegance in his manner." Erskine said to Mr. Rush, the American minister: "I was in the House when Burke made his great speech on American Conciliation,— the greatest he ever made. He drove everybody away. When I read it, I read it over and over again; I could hardly think of anything else."

Erskine's testimony furnishes the key to a just estimate of Burke's oratory. Judged by its ultimate influence, he was unquestionably

[1] Green, *Short History of the English People*, p. 770.

the greatest orator England has ever produced. And yet it must be admitted that his speeches were generally unsuited to the needs of the House of Commons. Burke was an orator rather than a debater, a statesman rather than a politician, the champion of a principle rather than the legislative manipulator. His speeches are largely political lectures; hence his title of Philosopher-Statesman. Unlike Fox, Burke was not content to seize upon the strong points of a case and cast aside intermediate thoughts. His exuberant fancy and wide knowledge led him to adduce details, illustrations, repetitions, maxims, and figures, which were so interwoven with his main arguments that his speeches were apt to weary men who cared for nothing, and could not be expected to care for anything, but the question before the House and the most expeditious way to settle it.

> Though fraught with all learning, yet straining his throat
> To persuade Tommy Townshend to lend him a vote;
> Who, too deep for his hearers, still went on refining,
> And thought of convincing, while they thought of dining.[1]

Johnson says that Burke's early speeches "filled the town with wonder," but adds that "he spoke too often and too long." Not that his speeches always went wide of the mark in delivery, for they were sometimes remarkably effective; but Burke frequently combined his thoughts and knowledge in propositions so weighty and strong that the minds of ordinary hearers were not on the instant prepared for them. Boswell once asked him why he took so much pains with his speeches, knowing that not one vote would be gained by them. Burke replied that his reputation was at stake, and further, that although the House might not grant his whole contention, a law was frequently so modified as to be less oppressive. "Aye, sir," Johnson broke in, "and there is a gratification of pride. Though we cannot outvote them, we will outargue them." "Outarguing," says Morley, "is not the right word. Burke surrenders himself wholly to the matter, and follows up, though with a strong and close tread, all the excursions to which it may give rise in an elastic intelligence." Yet always the "strong and close tread." Take the speech on Conciliation, for example. Whatever may be the intricacies of its details, and although the solidity

[1] From Goldsmith's *Retaliation*.

of the structure may be hidden by flowers, yet, like a great cathedral, throughout the whole there is a massive unity of design.

It is the literary quality of Burke's speeches, then, that renders them of interest to-day and is chiefly responsible for the perpetuity of his fame as an orator. The leading characteristics of his subject-matter and style (already incidentally referred to) are:

1. *Thoroughness of treatment.* This manifests itself in a broad comprehensiveness joined to an amplitude of detail, — in generalization coupled with exhaustiveness. Burke has been called "myriad-minded." Both depth and breadth are shown in the treatment of every subject he discussed.

2. *Rhetorical excellence.* This was secured by much practice in writing. His principal speeches were carefully prepared in advance, though not always rigidly adhered to in delivery; hence an excellence in form and finish which could not have been attained in extemporaneous efforts. He always wrote, however, with an audience in mind. Like Macaulay, his prevailing style suggests the speaker. As we have seen, the finished elaborateness of his speeches were a drawback in delivery, and occasionally the reader nowadays feels the justice of Johnson's stricture, that "he sometimes talked partly from ostentation"; or of Hazlitt's criticism, that he seemed to be "perpetually calling the Speaker out to dance a minuet with him before he begins." But while there are passages here and there that may warrant such censure, — evident self-consciousness and a lack of ease and delicacy, — yet the dominant quality of his style contradicts the idea of the mere rhetorician dealing in fine phrases, but rather reveals the master wielding language to subserve a controlling purpose.

3. *Figurative language.* Burke's fertility of imagery, comparisons, analogies, and illustrations, enabled him to exhaust a subject without tediousness, so that we have much reiteration and reënforcement without mere repetition. His idea of a truly fine sentence, as once stated to a friend, consists in a "union of thought, feeling, and imagery, — of a striking truth and a corresponding sentiment, rendered doubly striking by the force and beauty of figurative language." In such sentences Burke's speeches and writings abound. He is no doubt excessively ornate at times, his figures being placed in such bold relief or dwelt upon so long that the primary idea is lost sight of in the image. We find great extremes of imagery, from his much-admired picture of the queen

of France, as he saw her "just above the horizon, decorating and cheering the elevated sphere she had just begun to move in, glittering like the morning star, full of life and splendor and joy," or of friendship as "the soft green of the soul, on which the eye loves to repose," to Lord Chatham's administration "pigging together in the same truckle-bed," — and other comparisons yet more vulgar. While a master of the decorative style, Burke does not always escape the faults that usually accompany an abundance of figures. His imagination seemed to need the restraining and chastening influence of a critical situation, such as was afforded in the efforts for "conciliation" with America.

4. *Command of words.* In his deliberative speeches Burke's tendency, as we have seen, was to overload his main arguments with too many collateral topics. Likewise his sentences frequently contain secondary thoughts — qualifying and modifying clauses — which tend to weaken the blow by dividing it. This method of exhaustiveness in treatment required the use of many words; but though copious in language, he is rarely verbose. Though he usually develops every phase of his subject, he always illuminates it. His multifarious ideas always find fitting expression. By the introduction of a fresher and more natural diction Burke gave a lasting stimulus to English prose literature, his writings and speeches — notably the speech in this volume — being studied as models in present-day English.

5. *Passion.* It was his passion for order and justice, previously mentioned, that inspired his commanding and noble passages and colored the words in which they were expressed; so that we are made to feel that the more magnificent passages must have been written in moments of absolute abandonment to feeling. It was his passion, after all, that produced his style — the amplitude, the weightiness, the high flight, and the grandeur that comported with his imperial themes — and makes his productions now worth while.

To summarize: As an orator, Burke was outclassed by Pitt, Fox, and Sheridan in immediate influence upon the House of Commons, but he far surpassed them all in his ultimate influence. "He had not the impetuous and splendid eloquence of Chatham, nor the remarkable skill in debate of Fox, but in learning, in the power of clothing great thoughts in the most appropriate words, and of producing speeches which were even more interesting when read than when they were delivered, he far surpassed them both."

Macaulay speaks of him as "superior, in aptitude of comprehension and richness of imagination, to every orator, ancient or modern."

As a man, all that we know of Burke is of good repute. Some of his contemporary political opponents attempted to impeach his honesty because of his extravagances, and later critics have essayed to cast a shadow over his early life in London, concerning which Burke always maintained a dignified silence; but there is no evidence to substantiate these charges. There is no reason for doubting that the noble thoughts and high principles which Burke enunciated, emanated from an earnest mind and a sound character. He has therefore wielded an influence that has not yet by any means spent its force. The consensus of opinion points to Burke as an abiding name in history. Wordsworth believed him to be "by far the greatest man of his age," and Macaulay considered him "the greatest man since Milton." "He is not only the first man in the House of Commons," said Johnson, his political opponent, "he is the first man everywhere." "A gentleman," said Sheridan, "whose abilities, happily for the glory of the age in which we live, are not entrusted to the perishable eloquence of the day, but shall live to be the admiration of that hour when all of us shall be mute, and most of us forgotten."

It is a mark of Burke's singular and varied genius that hardly any two people agree precisely as to which of his productions should be considered the masterpiece. Each great essay or speech that he composed is the rival of every other. But his speech on Conciliation has perhaps been most universally admired, — "the wisest in its temper, the most closely logical in its reasoning, the amplest in appropriate topics, the most generous and conciliatory in the substance of its appeals."

When this speech was delivered in the House of Commons, events in the colonies were fast hastening toward the Declaration of Independence. The first Continental Congress had met, and within a month the battles of Concord and Lexington were fought. On February 20, 1775, Lord North, then Prime Minister, brought forward so-called "Propositions for Conciliating the Differences with America." Burke seized the opportunity to propose a method of conciliation that might be really effective; for, as he shows in the speech following (paragraphs 63–76), Lord North's plan was

a scheme to divide and conquer. Burke proposed that instead of *imposing* taxes the colonies be granted the opportunity of taxing themselves, and trust the result to the natural loyalty of a kindred people. He waived all discussion of the *right* of taxation, but based his argument solely on expediency. But it is not Burke's particular plan — for that may have been impracticable — that chiefly interests and holds us now; it is rather the high and noble principles underlying such plan, and the wise political maxims with which the speech abounds, — maxims which have no doubt been quoted by succeeding statesmen more fully and frequently than in the case of any other speech in oratorical literature.

1. I hope, Sir, that notwithstanding the austerity of the Chair, your good nature will incline you to some degree of indulgence towards human frailty. You will not think it unnatural that those who have an object depending, which strongly engages their hopes and fears, should be somewhat inclined to superstition. As I came into the House full of anxiety about the event of my motion, I found, to my infinite surprise, that the grand penal bill, by which we had passed sentence on the trade and sustenance of America, is to be returned to us from the other House. I do confess I could not help looking on this event as a fortunate omen. I look upon it as a sort of providential favor, by which we are put once more in possession of our deliberative capacity upon a business so very questionable in its nature, so very uncertain in its issue. By the return of this bill, which seemed to have taken its flight forever, we are at this very instant nearly as free to choose a plan for our American Government as we were on the first day of the session. If, Sir, we incline to the side of conciliation, we are not at all embarrassed (unless we please to make ourselves so) by any incongruous mixture of coercion and restraint. We are therefore called upon, as it were by a superior warning voice, again to attend to America; to attend to the whole of it together; and to review the subject with an unusual degree of care and calmness.

2. Surely it is an awful subject, or there is none so on this side of the grave. When I first had the honor of a seat in this House, the affairs of that continent pressed themselves upon us as the most important and most delicate object of Parliamentary attention. My little share in this great deliberation oppressed me. I found myself a partaker in a very high trust; and, having no sort of reason to rely on the strength of my natural abilities for the proper execution of that trust, I was obliged to take more than common pains to instruct myself in everything which relates to our colonies. I was not less under the necessity of forming some fixed ideas concerning the general policy of the British Empire. Something of this sort seemed to be indispensable, in order, amidst so vast a fluctuation of passions and opinions, to concentre my thoughts, to ballast my conduct, to preserve me from being blown about by every wind of fashionable doctrine. I really did not think it safe or manly to have fresh principles to seek upon every fresh mail which should arrive from America.

3. At that period I had the fortune to find myself in perfect concurrence with a large majority in this House. Bowing under that high authority, and penetrated with the sharpness and strength of that early impression, I have continued ever since, without the least deviation, in my original sentiments. Whether this be owing to an obstinate perseverance in error, or to a religious adherence to what appears to me truth and reason, it is in your equity to judge.

4. Sir, Parliament having an enlarged view of objects, made, during this interval, more frequent changes in their sentiments and their conduct than could be justified in a particular person upon the contracted scale of private information. But though I do not hazard anything approaching to a censure on the motives of former Parliaments to all those alterations, one fact is undoubted — that under them the state of America has been kept in continual agitation. Everything administered as

remedy to the public complaint, if it did not produce, was at least followed by, an heightening of the distemper; until, by a variety of experiments, that important country has been brought into her present situation — a situation which I will not miscall, which I dare not name, which I scarcely know how to comprehend in the terms of any description.

. . . . . .

5. To restore order and repose to an empire so great and so distracted as ours, is, merely in the attempt, an undertaking that would ennoble the flights of the highest genius, and obtain pardon for the efforts of the meanest understanding. Struggling a good while with these thoughts, by degrees I felt myself more firm. I derived, at length, some confidence from what in other circumstances usually produces timidity. I grew less anxious, even from the idea of my own insignificance. For, judging of what you are by what you ought to be, I persuaded myself that you would not reject a reasonable proposition because it had nothing but its reason to recommend it. On the other hand, being totally destitute of all shadow of influence, natural or adventitious, I was very sure that, if my proposition were futile or dangerous — if it were weakly conceived, or improperly timed — there was nothing exterior to it of power to awe, dazzle, or delude you. You will see it just as it is; and you will treat it just as it deserves.

6. The proposition is peace. Not peace through the medium of war; not peace to be hunted through the labyrinth of intricate and endless negotiations; not peace to arise out of universal discord fomented, from principle, in all parts of the Empire; not peace to depend on the juridical determination of perplexing questions, or the precise marking the shadowy boundaries of a complex government. It is simple peace; sought in its natural course, and in its ordinary haunts. It is peace sought in the spirit of peace, and laid in principles purely pacific. I propose, by removing the ground of the

difference, and by restoring the former unsuspecting confidence of the colonies in the Mother Country, to give permanent satisfaction to your people; and (far from a scheme of ruling by discord) to reconcile them to each other in the same act and by the bond of the very same interest which reconciles them to British government.

7. My idea is nothing more. Refined policy ever has been the parent of confusion; and ever will be so, as long as the world endures. Plain good intention, which is as easily discovered at the first view as fraud is surely detected at last, is, let me say, of no mean force in the government of mankind. Genuine simplicity of heart is an healing and cementing principle. My plan, therefore, being formed upon the most simple grounds imaginable, may disappoint some people when they hear it. It has nothing to recommend it to the pruriency of curious ears. There is nothing at all new and captivating in it. It has nothing of the splendor of the project which has been lately laid upon your table by the noble lord in the blue ribbon. It does not propose to fill your lobby with squabbling colony agents, who will require the interposition of your mace, at every instant, to keep the peace amongst them. It does not institute a magnificent auction of finance, where captivated provinces come to general ransom by bidding against each other, until you knock down the hammer, and determine a proportion of payments beyond all the powers of algebra to equalize and settle.

8. The plan which I shall presume to suggest derives, however, one great advantage from the proposition and registry of that noble lord's project. The idea of conciliation is admissible. First, the House, in accepting the resolution moved by the noble lord, has admitted — notwithstanding the menacing front of our address, notwithstanding our heavy bills of pains and penalties — that we do not think ourselves precluded from all ideas of free grace and bounty.

9. The House has gone farther; it has declared conciliation admissible, previous to any submission on the part of America. It has even shot a good deal beyond that mark, and has admitted that the complaints of our former mode of exerting the right of taxation were not wholly unfounded. That right thus exerted is allowed to have something reprehensible in it, something unwise, or something grievous; since, in the midst of our heat and resentment, we, of ourselves, have proposed a capital alteration; and in order to get rid of what seemed so very exceptionable, have instituted a mode that is altogether new; one that is, indeed, wholly alien from all the ancient methods and forms of Parliament.

10. The principle of this proceeding is large enough for my purpose. The means proposed by the noble lord for carrying his ideas into execution, I think, indeed, are very indifferently suited to the end; and this I shall endeavor to show you before I sit down. But, for the present, I take my ground on the admitted principle. I mean to give peace. Peace implies reconciliation; and where there has been a material dispute, reconciliation does in a manner always imply concession on the one part or on the other. In this state of things I make no difficulty in affirming that the proposal ought to originate from us. Great and acknowledged force is not impaired, either in effect or in opinion, by an unwillingness to exert itself. The superior power may offer peace with honor and with safety. Such an offer from such a power will be attributed to magnanimity. But the concessions of the weak are the concessions of fear. When such a one is disarmed, he is wholly at the mercy of his superior; and he loses forever that time and those chances, which, as they happen to all men, are the strength and resources of all inferior power.

11. The capital leading questions on which you must this day decide are these two: First, whether you ought to concede; and secondly, what your concession ought to be. On

the first of these questions we have gained, as I have just taken the liberty of observing to you, some ground. But I am sensible that a good deal more is still to be done. Indeed, Sir, to enable us to determine both on the one and the other of these great questions with a firm and precise judgment, I think it may be necessary to consider distinctly the true nature and the peculiar circumstances of the object which we have before us; because after all our struggle, whether we will or not, we must govern America according to that nature and to those circumstances, and not according to our own imaginations, nor according to abstract ideas of right — by no means according to mere general theories of government, the resort to which appears to me, in our present situation, no better than arrant trifling. I shall therefore endeavor, with your leave, to lay before you some of the most material of these circumstances in as full and as clear a manner as I am able to state them.

12. The first thing that we have to consider with regard to the nature of the object is — the number of people in the colonies. I have taken for some years a good deal of pains on that point. I can by no calculation justify myself in placing the number below two millions of inhabitants of our own European blood and color, besides at least five hundred thousand others, who form no inconsiderable part of the strength and opulence of the whole. This, Sir, is, I believe, about the true number. There is no occasion to exaggerate where plain truth is of so much weight and importance. But whether I put the present numbers too high or too low is a matter of little moment. Such is the strength with which population shoots in that part of the world, that, state the numbers as high as we will, whilst the dispute continues, the exaggeration ends. Whilst we are discussing any given magnitude, they are grown to it. Whilst we spend our time in deliberating on the mode of governing two millions, we shall find we have millions more

to manage. Your children do not grow faster from infancy to manhood than they spread from families to communities, and from villages to nations.

13. I put this consideration of the present and the growing numbers in the front of our deliberation, because, Sir, this consideration will make it evident to a blunter discernment than yours, that no partial, narrow, contracted, pinched, occasional system will be at all suitable to such an object. It will show you that it is not to be considered as one of those *minima* which are out of the eye and consideration of the law; not a paltry excrescence of the state; not a mean dependent, who may be neglected with little damage and provoked with little danger. It will prove that some degree of care and caution is required in the handling such an object; it will show that you ought not, in reason, to trifle with so large a mass of the interests and feelings of the human race. You could at no time do so without guilt; and be assured you will not be able to do it long with impunity.

14. But the population of this country, the great and growing population, though a very important consideration, will lose much of its weight if not combined with other circumstances. The commerce of your colonies is out of all proportion beyond the numbers of the people. This ground of their commerce indeed has been trod some days ago, and with great ability, by a distinguished person at your bar. This gentleman, after thirty-five years — it is so long since he first appeared at the same place to plead for the commerce of Great Britain — has come again before you to plead the same cause, without any other effect of time, than that to the fire of imagination and extent of erudition which even then marked him as one of the first literary characters of his age, he has added a consummate knowledge in the commercial interest of his country, formed by a long course of enlightened and discriminating experience.

15. Sir, I should be inexcusable in coming after such a person with any detail, if a great part of the members who now fill the House had not the misfortune to be absent when he appeared at your bar. Besides, Sir, I propose to take the matter at periods of time somewhat different from his. There is, if I mistake not, a point of view from whence, if you will look at the subject, it is impossible that it should not make an impression upon you.

16. I have in my hand two accounts; one a comparative state of the export trade of England to its colonies, as it stood in the year 1704, and as it stood in the year 1772; the other a state of the export trade of this country to its colonies alone, as it stood in 1772, compared with the whole trade of England to all parts of the world (the colonies included) in the year 1704. They are from good vouchers; the latter period from the accounts on your table, the earlier from an original manuscript of Davenant, who first established the Inspector-General's office, which has been ever since his time so abundant a source of Parliamentary information.

17. The export trade to the colonies consists of three great branches: the African — which, terminating almost wholly in the colonies, must be put to the account of their commerce, — the West Indian, and the North American. All these are so interwoven that the attempt to separate them would tear to pieces the contexture of the whole; and, if not entirely destroy, would very much depreciate the value of all the parts. I therefore consider these three denominations to be, what in effect they are, one trade.

18. The trade to the colonies, taken on the export side, at the beginning of this century, that is, in the year 1704, stood thus:

Exports to North America and the West Indies . .	£483,265
To Africa	86,665
	£569,930

19. In the year 1772, which I take as a middle year between the highest and lowest of those lately laid on your table, the account was as follows:

To North America and the West Indies	£4,791,734
To Africa	866,398
To which, if you add the export trade from Scotland, which had in 1704 no existence . . .	364,000
	£6,022,132

20. From five hundred and odd thousand, it has grown to six millions. It has increased no less than twelve-fold. This is the state of the colony trade as compared with itself at these two periods within this century; — and this is matter for meditation. But this is not all. Examine my second account. See how the export trade to the colonies alone in 1772 stood in the other point of view; that is, as compared to the whole trade of England in 1704:

The whole export trade of England, including that to the colonies, in 1704	£6,509,000
Export to the colonies alone, in 1772	6,024,000
Difference	£485,000

21. The trade with America alone is now within less than £500,000 of being equal to what this great commercial nation, England, carried on at the beginning of this century with the whole world! If I had taken the largest year of those on your table, it would rather have exceeded. But, it will be said, is not this American trade an unnatural protuberance, that has drawn the juices from the rest of the body? The reverse. It is the very food that has nourished every other part into its present magnitude. Our general trade has been greatly augmented, and augmented more or less in almost every part to which it ever extended; but with this material difference, that of the six millions which in the beginning of the century constituted the whole mass of our export commerce, the

colony trade was but one-twelfth part; it is now (as a part of sixteen millions) considerably more than a third of the whole. This is the relative proportion of the importance of the colonies at these two periods; and all reasoning concerning our mode of treating them must have this proportion as its basis; or it is a reasoning weak, rotten, and sophistical.

22. Mr. Speaker, I cannot prevail on myself to hurry over this great consideration. *It is good for us to be here.* We stand where we have an immense view of what is, and what is past. Clouds, indeed, and darkness, rest upon the future. Let us, however, before we descend from this noble eminence, reflect that this growth of our national prosperity has happened within the short period of the life of man. It has happened within sixty-eight years. There are those alive whose memory might touch the two extremities. For instance, my Lord Bathurst might remember all the stages of the progress. He was in 1704 of an age at least to be made to comprehend such things. He was then old enough *acta parentum jam legere, et quæ sit potuit cognoscere virtus.* Suppose, Sir, that the angel of this auspicious youth, foreseeing the many virtues which made him one of the most amiable, as he is one of the most fortunate, men of his age, had opened to him in vision that when in the fourth generation the third Prince of the House of Brunswick had sat twelve years on the throne of that nation which, by the happy issue of moderate and healing counsels, was to be made Great Britain, he should see his son, Lord Chancellor of England, turn back the current of hereditary dignity to its fountain, and raise him to a higher rank of peerage, whilst he enriched the family with a new one — if, amidst these bright and happy scenes of domestic honor and prosperity, that angel should have drawn up the curtain, and unfolded the rising glories of his country, and, whilst he was gazing with admiration on the then commercial grandeur of England, the genius should point out to him a little speck,

scarcely visible in the mass of the national interest, a small seminal principle, rather than a formed body, and should tell him: "Young man, there is America — which at this day serves for little more than to amuse you with stories of savage men, and uncouth manners; yet shall, before you taste of death, show itself equal to the whole of that commerce which now attracts the envy of the world. Whatever England has been growing to by a progressive increase of improvement, brought in by varieties of people, by succession of civilizing conquests and civilizing settlements in a series of seventeen hundred years, you shall see as much added to her by America in the course of a single life!" If this state of his country had been foretold to him, would it not require all the sanguine credulity of youth, and all the fervid glow of enthusiasm, to make him believe it? Fortunate man, he has lived to see it! Fortunate, indeed, if he lives to see nothing that shall vary the prospect, and cloud the setting of his day!

23. Excuse me, Sir, if turning from such thoughts I resume this comparative view once more. You have seen it on a large scale; look at it on a small one. I will point out to your attention a particular instance of it in the single province of Pennsylvania. In the year 1704 that province called for £11,459 in value of your commodities, native and foreign. This was the whole. What did it demand in 1772? Why, nearly fifty times as much; for in that year the export to Pennsylvania was £507,909, nearly equal to the export to all the colonies together in the first period.

24. I choose, Sir, to enter into these minute and particular details, because generalities, which in all other cases are apt to heighten and raise the subject, have here a tendency to sink it. When we speak of the commerce with our colonies, fiction lags after truth, invention is unfruitful, and imagination cold and barren.

25. So far, Sir, as to the importance of the object, in view of its commerce, as concerned in the exports from England.

If I were to detail the imports, I could show how many enjoyments they procure which deceive the burthen of life; how many materials which invigorate the springs of national industry, and extend and animate every part of our foreign and domestic commerce. This would be a curious subject indeed; but I must prescribe bounds to myself in a matter so vast and various.

26. I pass, therefore, to the colonies in another point of view, — their agriculture. This they have prosecuted with such a spirit, that, besides feeding plentifully their own growing multitude, their annual export of grain, comprehending rice, has some years ago exceeded a million in value. Of their last harvest I am persuaded they will export much more. At the beginning of the century some of these colonies imported corn from the Mother Country. For some time past the Old World has been fed from the New. The scarcity which you have felt would have been a desolating famine, if this child of your old age, with a true filial piety, with a Roman charity, had not put the full breast of its youthful exuberance to the mouth of its exhausted parent.

27. As to the wealth which the colonies have drawn from the sea by their fisheries, you had all that matter fully opened at your bar. You surely thought those acquisitions of value, for they seemed even to excite your envy; and yet the spirit by which that enterprising employment has been exercised ought rather, in my opinion, to have raised your esteem and admiration. And pray, Sir, what in the world is equal to it? Pass by the other parts, and look at the manner in which the people of New England have of late carried on the whale fishery. Whilst we follow them among the tumbling mountains of ice, and behold them penetrating into the deepest frozen recesses of Hudson's Bay and Davis's Straits, whilst we are looking for them beneath the arctic circle, we hear that they have pierced into the opposite region of polar cold, that they

are at the antipodes, and engaged under the frozen Serpent of the south. Falkland Island, which seemed too remote and romantic an object for the grasp of national ambition, is but a stage and resting-place in the progress of their victorious industry. Nor is the equinoctial heat more discouraging to them than the accumulated winter of both the poles. We know that whilst some of them draw the line and strike the harpoon on the coast of Africa, others run the longitude and pursue their gigantic game along the coast of Brazil. No sea but what is vexed by their fisheries; no climate that is not witness to their toils. Neither the perseverance of Holland, nor the activity of France, nor the dexterous and firm sagacity of English enterprise ever carried this most perilous mode of hardy industry to the extent to which it has been pushed by this recent people; a people who are still, as it were, but in the gristle, and not yet hardened into the bone of manhood. When I contemplate these things; when I know that the colonies in general owe little or nothing to any care of ours, and that they are not squeezed into this happy form by the constraints of watchful and suspicious government, but that, through a wise and salutary neglect, a generous nature has been suffered to take her own way to perfection; when I reflect upon these effects, when I see how profitable they have been to us, I feel all the pride of power sink, and all presumption in the wisdom of human contrivances melt and die away within me. My rigor relents. I pardon something to the spirit of liberty.

[Burke here refutes the plan of employing force in the government of the colonies, because, he says, the use of force alone is temporary, uncertain, experimental, and because "You impair the object by your very endeavors to preserve it."]

28. There is a third consideration concerning this object which serves to determine my opinion on the sort of policy which ought to be pursued in the management of America,

even more than its population and its commerce — I mean its temper and character.

29. In this character of the Americans, a love of freedom is the predominating feature which marks and distinguishes the whole; and as an ardent is always a jealous affection, your colonies become suspicious, restive, and untractable whenever they see the least attempt to wrest from them by force, or shuffle from them by chicane, what they think the only advantage worth living for. This fierce spirit of liberty is stronger in the English colonies probably than in any other people of the earth, and this from a great variety of powerful causes; which, to understand the true temper of their minds and the direction which this spirit takes, it will not be amiss to lay open somewhat more largely.

30. First, the people of the colonies are descendants of Englishmen. England, Sir, is a nation which still, I hope, respects, and formerly adored, her freedom. The colonists emigrated from you when this part of your character was most predominant; and they took this bias and direction the moment they parted from your hands. They are therefore not only devoted to liberty, but to liberty according to English ideas, and on English principles. Abstract liberty, like other mere abstractions, is not to be found. Liberty inheres in some sensible object; and every nation has formed to itself some favorite point, which by way of eminence becomes the criterion of their happiness. It happened, you know, Sir, that the great contests for freedom in this country were from the earliest times chiefly upon the question of taxing. Most of the contests in the ancient commonwealths turned primarily on the right of election of magistrates; or on the balance among the several orders of the state. The question of money was not with them so immediate. But in England it was otherwise. On this point of taxes the ablest pens, and most eloquent tongues, have been exercised; the greatest spirits

have acted and suffered. In order to give the fullest satisfaction concerning the importance of this point, it was not only necessary for those who in argument defended the excellence of the English Constitution to insist on this privilege of granting money as a dry point of fact, and to prove that the right had been acknowledged in ancient parchments and blind usages to reside in a certain body called a House of Commons. They went much farther; they attempted to prove, and they succeeded, that in theory it ought to be so, from the particular nature of a House of Commons as an immediate representative of the people, whether the old records had delivered this oracle or not. They took infinite pains to inculcate, as a fundamental principle, that in all monarchies the people must in effect themselves, mediately or immediately, possess the power of granting their own money, or no shadow of liberty can subsist. The colonies draw from you, as with their life-blood, these ideas and principles. Their love of liberty, as with you, fixed and attached on this specific point of taxing. Liberty might be safe, or might be endangered, in twenty other particulars, without their being much pleased or alarmed. Here they felt its pulse; and as they found that beat, they thought themselves sick or sound. I do not say whether they were right or wrong in applying your general arguments to their own case. It is not easy, indeed, to make a monopoly of theorems and corollaries. The fact is, that they did thus apply those general arguments; and your mode of governing them, whether through lenity or indolence, through wisdom or mistake, confirmed them in the imagination that they, as well as you, had an interest in these common principles.

31. They were further confirmed in this pleasing error by the form of their provincial legislative assemblies. Their governments are popular in an high degree; some are merely popular; in all, the popular representative is the most weighty; and this share of the people in their ordinary government

never fails to inspire them with lofty sentiments, and with a strong aversion from whatever tends to deprive them of their chief importance.

32. Permit me, Sir, to add another circumstance in our colonies which contributes no mean part towards the growth and effect of this untractable spirit. I mean their education. In no country perhaps in the world is the law so general a study. The profession itself is numerous and powerful; and in most provinces it takes the lead. The greater number of the deputies sent to the Congress were lawyers. But all who read, and most do read, endeavor to obtain some smattering in that science. I have been told by an eminent bookseller, that in no branch of his business, after tracts of popular devotion, were so many books as those on the law exported to the Plantations. The colonists have now fallen into the way of printing them for their own use. I hear that they have sold nearly as many of Blackstone's Commentaries in America as in England. General Gage marks out this disposition very particularly in a letter on your table. He states that all the people in his government are lawyers, or smatterers in law; and that in Boston they have been enabled, by successful chicane, wholly to evade many parts of one of your capital penal constitutions. The smartness of debate will say that this knowledge ought to teach them more clearly the rights of legislature, their obligations to obedience, and the penalties of rebellion. All this is mighty well. But my honorable and learned friend on the floor, who condescends to mark what I say for animadversion, will disdain that ground. He has heard, as well as I, that when great honors and great emoluments do not win over this knowledge to the service of the state, it is a formidable adversary to government. If the spirit be not tamed and broken by these happy methods, it is stubborn and litigious. *Abeunt studia in mores.* This study renders men acute, inquisitive, dexterous, prompt in attack, ready in defence, full

of resources. In other countries, the people, more simple, and of a less mercurial cast, judge of an ill principle in government only by an actual grievance; here they anticipate the evil, and judge of the pressure of the grievance by the badness of the principle. They augur misgovernment at a distance, and snuff the approach of tyranny in every tainted breeze.

33. The last cause of this disobedient spirit in the colonies is hardly less powerful than the rest, as it is not merely moral, but laid deep in the natural constitution of things. Three thousand miles of ocean lie between you and them. No contrivance can prevent the effect of this distance in weakening government. Seas roll, and months pass, between the order and the execution; and the want of a speedy explanation of a single point is enough to defeat a whole system. You have, indeed, winged ministers of vengeance, who carry your bolts in their pounces to the remotest verge of the sea. But there a power steps in that limits the arrogance of raging passions and furious elements, and says, *So far shalt thou go, and no farther.* Who are you, that you should fret and rage, and bite the chains of nature? Nothing worse happens to you than does to all nations who have extensive empire; and it happens in all the forms into which empire can be thrown. In large bodies the circulation of power must be less vigorous at the extremities. Nature has said it. The Turk cannot govern Egypt and Arabia and Kurdistan as he governs Thrace; nor has he the same dominion in Crimea and Algiers which he has at Brusa and Smyrna. Despotism itself is obliged to truck and huckster. The Sultan gets such obedience as he can. He governs with a loose rein, that he may govern at all; and the whole of the force and vigor of his authority in his centre is derived from a prudent relaxation in all his borders. Spain, in her provinces, is, perhaps, not so well obeyed as you are in yours. She complies, too; she submits; she watches

times. This is the immutable condition, the eternal law of extensive and detached empire.

34. Then, Sir, from these six sources — of descent, of form of government, of religion in the Northern Provinces, of manners in the Southern, of education, of the remoteness of situation from the first mover of government — from all these causes a fierce spirit of liberty has grown up. It has grown with the growth of the people in your colonies, and increased with the increase of their wealth; a spirit that unhappily meeting with an exercise of power in England which, however lawful, is not reconcilable to any ideas of liberty, much less with theirs, has kindled this flame that is ready to consume us.

35. I do not mean to commend either the spirit in this excess, or the moral causes which produce it. Perhaps a more smooth and accommodating spirit of freedom in them would be more acceptable to us. Perhaps ideas of liberty might be desired more reconcilable with an arbitrary and boundless authority. Perhaps we might wish the colonists to be persuaded that their liberty is more secure when held in trust for them by us, as their guardians during a perpetual minority, than with any part of it in their own hands. The question is, not whether their spirit deserves praise or blame, but — what, in the name of God, shall we do with it? You have before you the object, such as it is, with all its glories, with all its imperfections on its head. You see the magnitude, the importance, the temper, the habits, the disorders. By all these considerations we are strongly urged to determine something concerning it. We are called upon to fix some rule and line for our future conduct which may give a little stability to our politics, and prevent the return of such unhappy deliberations as the present. Every such return will bring the matter before us in a still more untractable form. For, what astonishing and incredible things have we not seen already! What monsters

have not been generated from this unnatural contention! Whilst every principle of authority and resistance has been pushed, upon both sides, as far as it would go, there is nothing so solid and certain, either in reasoning or in practice, that has not been shaken. Until very lately all authority in America seemed to be nothing but an emanation from yours. Even the popular part of the colony constitution derived all its activity and its first vital movement from the pleasure of the Crown. We thought, Sir, that the utmost which the discontented colonists could do was to disturb authority; we never dreamt they could of themselves supply it — knowing in general what an operose business it is to establish a government absolutely new. But having, for our purposes in this contention, resolved that none but an obedient Assembly should sit, the humors of the people there, finding all passage through the legal channel stopped, with great violence broke out another way. Some provinces have tried their experiment, as we have tried ours; and theirs has succeeded. They have formed a government sufficient for its purposes, without the bustle of a revolution or the troublesome formality of an election. Evident necessity and tacit consent have done the business in an instant. So well they have done it, that Lord Dunmore — the account is among the fragments on your table — tells you that the new institution is infinitely better obeyed than the ancient government ever was in its most fortunate periods. Obedience is what makes government, and not the names by which it is called; not the name of Governor, as formerly, or Committee, as at present. This new government has originated directly from the people, and was not transmitted through any of the ordinary artificial media of a positive constitution. It was not a manufacture ready formed, and transmitted to them in that condition from England. The evil arising from hence is this; that the colonists having once found the possibility of enjoying the advantages of order in

the midst of a struggle for liberty, such struggles will not henceforward seem so terrible to the settled and sober part of mankind as they had appeared before the trial.

36. Pursuing the same plan of punishing by the denial of the exercise of government to still greater lengths, we wholly abrogated the ancient government of Massachusetts. We were confident that the first feeling, if not the very prospect, of anarchy would instantly enforce a complete submission. The experiment was tried. A new, strange, unexpected face of things appeared. Anarchy is found tolerable. A vast province has now subsisted, and subsisted in a considerable degree of health and vigor for near a twelvemonth, without Governor, without public Council, without judges, without executive magistrates. How long it will continue in this state, or what may arise out of this unheard-of situation, how can the wisest of us conjecture? Our late experience has taught us that many of those fundamental principles, formerly believed infallible, are either not of the importance they were imagined to be, or that we have not at all adverted to some other far more important and far more powerful principles, which entirely overrule those we had considered as omnipotent. I am much against any further experiments which tend to put to the proof any more of these allowed opinions which contribute so much to the public tranquillity. In effect, we suffer as much at home by this loosening of all ties, and this concussion of all established opinions, as we do abroad; for in order to prove that the Americans have no right to their liberties, we are every day endeavoring to subvert the maxims which preserve the whole spirit of our own. To prove that the Americans ought not to be free, we are obliged to depreciate the value of freedom itself; and we never seem to gain a paltry advantage over them in debate without attacking some of those principles, or deriding some of those feelings, for which our ancestors have shed their blood.

37. But, Sir, in wishing to put an end to pernicious experiments, I do not mean to preclude the fullest inquiry. Far from it. Far from deciding on a sudden or partial view, I would patiently go round and round the subject, and survey it minutely in every possible aspect. Sir, if I were capable of engaging you to an equal attention, I would state that, as far as I am capable of discerning, there are but three ways of proceeding relative to this stubborn spirit which prevails in your colonies, and disturbs your government. These are — to change that spirit, as inconvenient, by removing the causes; to prosecute it as criminal; or to comply with it as necessary. I would not be guilty of an imperfect enumeration; I can think of but these three. Another has indeed been started, — that of giving up the colonies; but it met so slight a reception that I do not think myself obliged to dwell a great while upon it. It is nothing but a little sally of anger, like the frowardness of peevish children, who, when they cannot get all they would have, are resolved to take nothing.

38. The first of these plans — to change the spirit, as inconvenient, by removing the causes — I think is the most like a systematic proceeding. It is radical in its principle; but it is attended with great difficulties, some of them little short, as I conceive, of impossibilities. This will appear by examining into the plans which have been proposed.

39. As the growing population in the colonies is evidently one cause of their resistance, it was last session mentioned in both Houses, by men of weight, and received not without applause, that in order to check this evil it would be proper for the Crown to make no further grants of land. But to this scheme there are two objections. The first, that there is already so much unsettled land in private hands as to afford room for an immense future population, although the Crown not only withheld its grants, but annihilated its soil. If this be the case, then the only effect of this avarice of desolation, this

hoarding of a royal wilderness, would be to raise the value of the possessions in the hands of the great private monopolists, without any adequate check to the growing and alarming mischief of population.

40. But if you stopped your grants, what would be the consequence? The people would occupy without grants. They have already so occupied in many places. You cannot station garrisons in every part of these deserts. If you drive the people from one place, they will carry on their annual tillage, and remove with their flocks and herds to another. Many of the people in the back settlements are already little attached to particular situations. Already they have topped the Appalachian mountains. From thence they behold before them an immense plain, one vast, rich, level meadow; a square of five hundred miles. Over this they would wander without a possibility of restraint; they would change their manners with the habits of their life; would soon forget a government by which they were disowned; would become hordes of English Tartars; and, pouring down upon your unfortified frontiers a fierce and irresistible cavalry, become masters of your governors and your counsellors, your collectors and comptrollers, and of all the slaves that adhered to them. Such would, and in no long time must be, the effect of attempting to forbid as a crime and to suppress as an evil the command and blessing of Providence, *Increase and multiply*. Such would be the happy result of the endeavor to keep as a lair of wild beasts that earth which God, by an express charter, has given to the children of men. Far different, and surely much wiser, has been our policy hitherto. Hitherto we have invited our people, by every kind of bounty, to fixed establishments. We have invited the husbandman to look to authority for his title. We have taught him piously to believe in the mysterious virtue of wax and parchment. We have thrown each tract of land, as it was peopled, into districts, that the ruling power should

never be wholly out of sight. We have settled all we could; and we have carefully attended every settlement with government.

41. Adhering, Sir, as I do, to this policy, as well as for the reasons I have just given, I think this new project of hedging-in population to be neither prudent nor practicable.

42. To impoverish the colonies in general, and in particular to arrest the noble course of their marine enterprises, would be a more easy task. I freely confess it. We have shown a disposition to a system of this kind, a disposition even to continue the restraint after the offence, looking on ourselves as rivals to our colonies, and persuaded that of course we must gain all that they shall lose. Much mischief we may certainly do. The power inadequate to all other things is often more than sufficient for this. I do not look on the direct and immediate power of the colonies to resist our violence as very formidable. In this, however, I may be mistaken. But when I consider that we have colonies for no purpose but to be serviceable to us, it seems to my poor understanding a little preposterous to make them unserviceable in order to keep them obedient. It is, in truth, nothing more than the old and, as I thought, exploded problem of tyranny, which proposes to beggar its subjects into submission. But remember, when you have completed your system of impoverishment, that nature still proceeds in her ordinary course; that discontent will increase with misery; and that there are critical moments in the fortune of all states when they who are too weak to contribute to your prosperity may be strong enough to complete your ruin. *Spoliatis arma supersunt.*

43. The temper and character which prevail in our colonies are, I am afraid, unalterable by any human art. We cannot, I fear, falsify the pedigree of this fierce people, and persuade them that they are not sprung from a nation in whose veins the blood of freedom circulates. The language in which they

would hear you tell them this tale would detect the imposition; your speech would betray you. An Englishman is the unfittest person on earth to argue another Englishman into slavery.

44. I think it is nearly as little in our power to change their republican religion as their free descent; or to substitute the Roman Catholic as a penalty, or the Church of England as an improvement. The mode of inquisition and dragooning is going out of fashion in the Old World, and I should not confide much to their efficacy in the New. The education of the Americans is also on the same unalterable bottom with their religion. You cannot persuade them to burn their books of curious science; to banish their lawyers from their courts of laws; or to quench the lights of their assemblies by refusing to choose those persons who are best read in their privileges. It would be no less impracticable to think of wholly annihilating the popular assemblies in which these lawyers sit. The army, by which we must govern in their place, would be far more chargeable to us, not quite so effectual, and perhaps in the end full as difficult to be kept in obedience.

. . . . . .

45. But let us suppose all these moral difficulties got over. The ocean remains. You cannot pump this dry; and as long as it continues in its present bed, so long all the causes which weaken authority by distance will continue.

> Ye Gods, annihilate but space and time,
> And make two lovers happy!

was a pious and passionate prayer; but just as reasonable as many of the serious wishes of grave and solemn politicians.

46. If then, Sir, it seems almost desperate to think of any alterative course for changing the moral causes, and not quite easy to remove the natural, which produce prejudices irreconcilable to the late exercise of our authority — but that the spirit infallibly will continue, and, continuing, will produce such

effects as now embarrass us — the second mode under consideration is to prosecute that spirit in its overt acts as criminal.

47. At this proposition I must pause a moment. The thing seems a great deal too big for my ideas of jurisprudence. It should seem to my way of conceiving such matters that there is a very wide difference, in reason and policy, between the mode of proceeding on the irregular conduct of scattered individuals, or even of bands of men who disturb order within the state, and the civil dissensions which may, from time to time, on great questions, agitate the several communities which compose a great empire. It looks to me to be narrow and pedantic to apply the ordinary ideas of criminal justice to this great public contest. I do not know the method of drawing up an indictment against a whole people. I cannot insult and ridicule the feelings of millions of my fellow-creatures as Sir Edward Coke insulted one excellent individual (Sir Walter Raleigh) at the bar. I hope I am not ripe to pass sentence on the gravest public bodies, intrusted with magistracies of great authority and dignity, and charged with the safety of their fellow-citizens, upon the very same title that I am. I really think that, for wise men, this is not judicious; for sober men, not decent; for minds tinctured with humanity, not mild and merciful.

48. Perhaps, Sir, I am mistaken in my idea of an empire, as distinguished from a single state or kingdom. But my idea of it is this: that an empire is the aggregate of many states under one common head, whether this head be a monarch or a presiding republic. It does, in such constitutions, frequently happen — and nothing but the dismal, cold, dead uniformity of servitude can prevent its happening — that the subordinate parts have many local privileges and immunities. Between these privileges and the supreme common authority the line may be extremely nice. Of course disputes, often, too, very bitter disputes, and much ill blood, will arise. But though

every privilege is an exemption, in the case, from the ordinary exercise of the supreme authority, it is no denial of it. The claim of a privilege seems rather, *ex vi termini*, to imply a superior power; for to talk of the privileges of a state or of a person who has no superior is hardly any better than speaking nonsense. Now, in such unfortunate quarrels among the component parts of a great political union of communities, I can scarcely conceive anything more completely imprudent than for the head of the empire to insist that, if any privilege is pleaded against his will or his acts, his whole authority is denied; instantly to proclaim rebellion, to beat to arms, and to put the offending provinces under the ban. Will not this, Sir, very soon teach the provinces to make no distinctions on their part? Will it not teach them that the government, against which a claim of liberty is tantamount to high treason, is a government to which submission is equivalent to slavery? It may not always be quite convenient to impress dependent communities with such an idea.

49. We are, indeed, in all disputes with the colonies, by the necessity of things, the judge. It is true, Sir. But I confess that the character of judge in my own cause is a thing that frightens me. Instead of filling me with pride, I am exceedingly humbled by it. I cannot proceed with a stern, assured, judicial confidence, until I find myself in something more like a judicial character. I must have these hesitations as long as I am compelled to recollect that, in my little reading upon such contests as these, the sense of mankind has at least as often decided against the superior as the subordinate power. Sir, let me add, too, that the opinion of my having some abstract right in my favor would not put me much at my ease in passing sentence, unless I could be sure that there were no rights which, in their exercise under certain circumstances, were not the most odious of all wrongs and the most vexatious of all injustice. Sir, these considerations have great

weight with me when I find things so circumstanced, that I see the same party at once a civil litigant against me in point of right and a culprit before me, while I sit as a criminal judge on acts of his whose moral quality is to be decided upon the merits of that very litigation. Men are every now and then put, by the complexity of human affairs, into strange situations; but justice is the same, let the judge be in what situation he will.

50. In this situation, let us seriously and coolly ponder. What is it we have got by all our menaces, which have been many and ferocious? What advantage have we derived from the penal laws we have passed, and which, for the time, have been severe and numerous? What advances have we made towards our object by the sending of a force which, by land and sea, is no contemptible strength? Has the disorder abated? Nothing less. When I see things in this situation after such confident hopes, bold promises, and active exertions, I cannot, for my life, avoid a suspicion that the plan itself is not correctly right.

51. If, then, the removal of the causes of this spirit of American liberty be for the greater part, or rather entirely, impracticable; if the ideas of criminal process be inapplicable — or, if applicable, are in the highest degree inexpedient; what way yet remains? No way is open but the third and last, — to comply with the American spirit as necessary; or, if you please, to submit to it as a necessary evil.

52. If we adopt this mode, — if we mean to conciliate and concede, — let us see of what nature the concession ought to be. To ascertain the nature of our concession, we must look at their complaint. The colonies complain that they have not the characteristic mark and seal of British freedom. They complain that they are taxed in a Parliament in which they are not represented. If you mean to satisfy them at all, you must satisfy them with regard to this complaint. If you mean to please any people you must give them the boon which they

ask; not what you may think better for them, but of a kind totally different. Such an act may be a wise regulation, but it is no concession; whereas our present theme is the mode of giving satisfaction.

53. Sir, I think you must perceive that I am resolved this day to have nothing at all to do with the question of the right of taxation. Some gentlemen startle — but it is true; I put it totally out of the question. It is less than nothing in my consideration. I do not indeed wonder, nor will you, Sir, that gentlemen of profound learning are fond of displaying it on this profound subject. But my consideration is narrow, confined, and wholly limited to the policy of the question. I do not examine whether the giving away a man's money be a power excepted and reserved out of the general trust of government, and how far all mankind, in all forms of polity, are entitled to an exercise of that right by the charter of nature; or whether, on the contrary, a right of taxation is necessarily involved in the general principle of legislation, and inseparable from the ordinary supreme power. These are deep questions, where great names militate against each other, where reason is perplexed, and an appeal to authorities only thickens the confusion; for high and reverend authorities lift up their heads on both sides, and there is no sure footing in the middle. This point is the great

> Serbonian bog,
> Betwixt Damiata and Mount Casius old,
> Where armies whole have sunk.

I do not intend to be overwhelmed in that bog, though in such respectable company. The question with me is, not whether you have a right to render your people miserable, but whether it is not your interest to make them happy. It is not what a lawyer tells me I *may* do, but what humanity, reason, and justice tell me I *ought* to do. Is a politic act the

worse for being a generous one? Is no concession proper but that which is made from your want of right to keep what you grant? Or does it lessen the grace or dignity of relaxing in the exercise of an odious claim because you have your evidence-room full of titles, and your magazines stuffed with arms to enforce them? What signify all those titles, and all those arms? Of what avail are they, when the reason of the thing tells me that the assertion of my title is the loss of my suit, and that I could do nothing but wound myself by the use of my own weapons?

54. Such is steadfastly my opinion of the absolute necessity of keeping up the concord of this Empire by an unity of spirit, though in a diversity of operations, that, if I were sure the colonists had, at their leaving this country, sealed a regular compact of servitude; that they had solemnly abjured all the rights of citizens; that they had made a vow to renounce all ideas of liberty for them and their posterity to all generations; yet I should hold myself obliged to conform to the temper I found universally prevalent in my own day, and to govern two million of men, impatient of servitude, on the principles of freedom. I am not determining a point of law, I am restoring tranquillity; and the general character and situation of a people must determine what sort of government is fitted for them. That point nothing else can or ought to determine.

55. My idea, therefore, without considering whether we yield as matter of right, or grant as matter of favor, is to admit the people of our colonies into an interest in the Constitution; and, by recording that admission in the journals of Parliament, to give them as strong an assurance as the nature of the thing will admit, that we mean forever to adhere to that solemn declaration of systematic indulgence.

[Burke here argues that four constitutional precedents — Ireland, Wales, Chester, and Durham — justify his plan of dealing with America.]

56. My Resolutions therefore mean to establish the equity and justice of a taxation of America by *grant*, and not by *imposition;* to mark the *legal competency* of the Colony Assemblies for the support of their government in peace, and for public aids in time of war; to acknowledge that this legal competency has had a *dutiful and beneficial exercise;* and that experience has shown the *benefit of their grants*, and the *futility of Parliamentary taxation* as a method of supply.

57. These solid truths compose six fundamental propositions. There are three more Resolutions corollary to these. If you admit the first set, you can hardly reject the others. But if you admit the first, I shall be far from solicitous whether you accept or refuse the last. I think these six massive pillars will be of strength sufficient to support the temple of British concord. I have no more doubt than I entertain of my existence that, if you admitted these, you would command an immediate peace, and, with but tolerable future management, a lasting obedience in America. I am not arrogant in this confident assurance. The propositions are all mere matters of fact, and if they are such facts as draw irresistible conclusions even in the stating, this is the power of truth, and not any management of mine.

[At this point Burke took up *seriatim* the Resolutions referred to, and considered each at some length.]

58. Here, Sir, I should close; but I plainly perceive some objections remain which I ought, if possible, to remove. The first will be that, in resorting to the doctrine of our ancestors, as contained in the preamble to the Chester Act, I prove too much; that the grievance from a want of representation, stated in that preamble, goes to the whole of legislation as well as to taxation; and that the colonies, grounding themselves upon that doctrine, will apply it to all parts of legislative authority.

59. To this objection, with all possible deference and humility, and wishing as little as any man living to impair the

smallest particle of our supreme authority, I answer, that the words are the words of Parliament, and not mine, and that all false and inconclusive inferences drawn from them are not mine, for I heartily disclaim any such inference. I have chosen the words of an Act of Parliament which Mr. Grenville, surely a tolerably zealous and very judicious advocate for the sovereignty of Parliament, formerly moved to have read at your table in confirmation of his tenets. It is true that Lord Chatham considered these preambles as declaring strongly in favor of his opinions. He was a no less powerful advocate for the privileges of the Americans. Ought I not from hence to presume that these preambles are as favorable as possible to both, when properly understood; favorable both to the rights of Parliament, and to the privilege of the dependencies of this Crown? But, Sir, the object of grievance in my Resolution I have not taken from the Chester, but from the Durham Act, which confines the hardship of want of representation to the case of subsidies, and which therefore falls in exactly with the case of the colonies. But whether the unrepresented counties were *de jure* or *de facto* bound, the preambles do not accurately distinguish, nor indeed was it necessary; for, whether *de jure* or *de facto*, the Legislature thought the exercise of the power of taxing as of right, or as of fact without right, equally a grievance, and equally oppressive.

60. I do not know that the colonies have, in any general way, or in any cool hour, gone much beyond the demand of humanity in relation to taxes. It is not fair to judge of the temper or dispositions of any man, or any set of men, when they are composed and at rest, from their conduct or their expressions in a state of disturbance and irritation. It is besides a very great mistake to imagine that mankind follow up practically any speculative principle, either of government or of freedom, as far as it will go in argument and logical illation. We Englishmen stop very short of the principles upon which

we support any given part of our Constitution, or even the whole of it together. I could easily, if I had not already tired you, give you very striking and convincing instances of it. This is nothing but what is natural and proper. All government, indeed every human benefit and enjoyment, every virtue, and every prudent act, is founded on compromise and barter. We balance inconveniences; we give and take; we remit some rights, that we may enjoy others; and we choose rather to be happy citizens than subtle disputants. As we must give away some natural liberty to enjoy civil advantages, so we must sacrifice some civil liberties for the advantages to be derived from the communion and fellowship of a great empire. But, in all fair dealings, the thing bought must bear some proportion to the purchase paid. None will barter away the immediate jewel of his soul. Though a great house is apt to make slaves haughty, yet it is purchasing a part of the artificial importance of a great empire too dear to pay for it all essential rights and all the intrinsic dignity of human nature. None of us who would not risk his life rather than fall under a government purely arbitrary. But although there are some amongst us who think our Constitution wants many improvements to make it a complete system of liberty, perhaps none who are of that opinion would think it right to aim at such improvement by disturbing his country, and risking everything that is dear to him. In every arduous enterprise we consider what we are to lose, as well as what we are to gain; and the more and better stake of liberty every people possess, the less they will hazard in a vain attempt to make it more. These are the cords of man. Man acts from adequate motives relative to his interest, and not on metaphysical speculations. Aristotle, the great master of reasoning, cautions us, and with great weight and propriety, against this species of delusive geometrical accuracy in moral arguments as the most fallacious of all sophistry.

61. The Americans will have no interest contrary to the grandeur and glory of England, when they are not oppressed by the weight of it; and they will rather be inclined to respect the acts of a superintending legislature when they see them the acts of that power which is itself the security, not the rival, of their secondary importance. In this assurance my mind most perfectly acquiesces, and I confess I feel not the least alarm from the discontents which are to arise from putting people at their ease, nor do I apprehend the destruction of this Empire from giving, by an act of free grace and indulgence, to two millions of my fellow-citizens some share of those rights upon which I have always been taught to value myself.

62. It is said, indeed, that this power of granting, vested in American Assemblies, would dissolve the unity of the Empire, which was preserved entire, although Wales, and Chester, and Durham were added to it. Truly, Mr. Speaker, I do not know what this unity means, nor has it ever been heard of, that I know, in the constitutional policy of this country. The very idea of subordination of parts excludes this notion of simple and undivided unity. England is the head; but she is not the head and the members too. Ireland has ever had from the beginning a separate, but not an independent, legislature, which, far from distracting, promoted the union of the whole. Everything was sweetly and harmoniously disposed through both islands for the conservation of English dominion, and the communication of English liberties. I do not see that the same principles might not be carried into twenty islands and with the same good effect. This is my model with regard to America, as far as the internal circumstances of the two countries are the same. I know no other unity of this Empire than I can draw from its example during these periods, when it seemed to my poor understanding more united than it is now, or than it is likely to be by the present methods.

63. But since I speak of these methods, I recollect, Mr. Speaker, almost too late, that I promised, before I finished, to say something of the proposition of the noble lord on the floor, which has been so lately received and stands on your Journals. I must be deeply concerned whenever it is my misfortune to continue a difference with the majority of this House; but as the reasons for that difference are my apology for thus troubling you, suffer me to state them in a very few words. I shall compress them into as small a body as I possibly can, having already debated that matter at large when the question was before the Committee.

64. First, then, I cannot admit that proposition of a ransom by auction; because it is a mere project. It is a thing new, unheard of; supported by no experience; justified by no analogy; without example of our ancestors, or root in the Constitution. It is neither regular Parliamentary taxation, nor colony grant. *Experimentum in corpore vili* is a good rule, which will ever make me adverse to any trial of experiments on what is certainly the most valuable of all subjects, the peace of this Empire.

65. Secondly, it is an experiment which must be fatal in the end to our Constitution. For what is it but a scheme for taxing the colonies in the ante-chamber of the noble lord and his successors? To settle the quotas and proportions in this House is clearly impossible. You, Sir, may flatter yourself you shall sit a state auctioneer, with your hammer in your hand, and knock down to each colony as it bids. But to settle, on the plan laid down by the noble lord, the true proportional payment for four or five and twenty governments according to the absolute and the relative wealth of each, and according to the British proportion of wealth and burthen, is a wild and chimerical notion. This new taxation must therefore come in by the back door of the Constitution. Each quota must be brought to this House ready formed; you can neither add

nor alter. You must register it. You can do nothing further; for on what grounds can you deliberate either before or after the proposition? You cannot hear the counsel for all these provinces, quarrelling each on its own quantity of payment, and its proportion to others. If you should attempt it, the Committee of Provincial Ways and Means, or by whatever other name it will delight to be called, must swallow up all the time of Parliament.

66. Thirdly, it does not give satisfaction to the complaint of the colonies. They complain that they are taxed without their consent; you answer, that you will fix the sum at which they shall be taxed. That is, you give them the very grievance for the remedy. You tell them, indeed, that you will leave the mode to themselves. I really beg pardon — it gives me pain to mention it — but you must be sensible that you will not perform this part of the compact. For, suppose the colonies were to lay the duties, which furnished their contingent, upon the importation of your manufactures, you know you would never suffer such a tax to be laid. You know, too, that you would not suffer many other modes of taxation; so that, when you come to explain yourself, it will be found that you will neither leave to themselves the quantum nor the mode, nor indeed anything. The whole is delusion from one end to the other.

67. Fourthly, this method of ransom by auction, unless it be universally accepted, will plunge you into great and inextricable difficulties. In what year of our Lord are the proportions of payments to be settled? To say nothing of the impossibility that colony agents should have general powers of taxing the colonies at their discretion, consider, I implore you, that the communication by special messages and orders between these agents and their constituents, on each variation of the case, when the parties come to contend together and to dispute on their relative proportions, will be a matter of delay, perplexity, and confusion that never can have an end.

68. If all the colonies do not appear at the outcry, what is the condition of those assemblies who offer, by themselves or their agents, to tax themselves up to your ideas of their proportion? The refractory colonies who refuse all composition will remain taxed only to your old impositions, which, however grievous in principle, are trifling as to production. The obedient colonies in this scheme are heavily taxed; the refractory remain unburdened. What will you do? Will you lay new and heavier taxes by Parliament on the disobedient? Pray consider in what way you can do it. You are perfectly convinced that, in the way of taxing, you can do nothing but at the ports. Now suppose it is Virginia that refuses to appear at your auction, while Maryland and North Carolina bid handsomely for their ransom, and are taxed to your quota, how will you put these colonies on a par? Will you tax the tobacco of Virginia? If you do, you give its death-wound to your English revenue at home, and to one of the very greatest articles of your own foreign trade. If you tax the import of that rebellious colony, what do you tax but your own manufactures, or the goods of some other obedient and already well-taxed colony? Who has said one word on this labyrinth of detail, which bewilders you more and more as you enter into it? Who has presented, who can present you with a clue to lead you out of it? I think, Sir, it is impossible that you should not recollect that the colony bounds are so implicated in one another — you know it by your other experiments in the bill for prohibiting the New England fishery — that you can lay no possible restraints on almost any of them which may not be presently eluded, if you do not confound the innocent with the guilty, and burthen those whom, upon every principle, you ought to exonerate. He must be grossly ignorant of America who thinks that, without falling into this confusion of all rules of equity and policy, you can restrain any single colony, especially Virginia and Maryland, the central and most important of them all.

69. Let it also be considered that, either in the present confusion you settle a permanent contingent, which will and must be trifling, and then you have no effectual revenue; or you change the quota at every exigency, and then on every new repartition you will have a new quarrel.

70. Reflect, besides, that when you have fixed a quota for every colony, you have not provided for prompt and punctual payment. Suppose one, two, five, ten years' arrears. You cannot issue a Treasury Extent against the failing colony. You must make new Boston Port Bills, new restraining laws, new acts for dragging men to England for trial. You must send out new fleets, new armies. All is to begin again. From this day forward the Empire is never to know an hour's tranquillity. An intestine fire will be kept alive in the bowels of the colonies, which one time or other must consume this whole Empire. I allow indeed that the empire of Germany raises her revenue and her troops by quotas and contingents; but the revenue of the empire, and the army of the empire, is the worst revenue and the worst army in the world.

71. Instead of a standing revenue, you will therefore have a perpetual quarrel. Indeed, the noble lord who proposed this project of a ransom by auction seems himself to be of that opinion. His project was rather designed for breaking the union of the colonies than for establishing a revenue. He confessed he apprehended that his proposal would not be to their taste. I say this scheme of disunion seems to be at the bottom of the project; for I will not suspect that the noble lord meant nothing but merely to delude the nation by an airy phantom which he never intended to realize. But whatever his views may be, as I propose the peace and union of the colonies as the very foundation of my plan, it cannot accord with one whose foundation is perpetual discord.

72. Compare the two. This I offer to give you is plain and simple. The other full of perplexed and intricate mazes. This

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72. Compare the two. This I offer to give you is plain and simple. The other full of perplexed and intricate mazes. This

68. If all the colonies do not appear at the outcry, what is the condition of those assemblies who offer, by themselves or their agents, to tax themselves up to your ideas of their proportion? The refractory colonies who refuse all composition will remain taxed only to your old impositions, which, however grievous in principle, are trifling as to production. The obedient colonies in this scheme are heavily taxed; the refractory remain unburdened. What will you do? Will you lay new and heavier taxes by Parliament on the disobedient? Pray consider in what way you can do it. You are perfectly convinced that, in the way of taxing, you can do nothing but at the ports. Now suppose it is Virginia that refuses to appear at your auction, while Maryland and North Carolina bid handsomely for their ransom, and are taxed to your quota, how will you put these colonies on a par? Will you tax the tobacco of Virginia? If you do, you give its death-wound to your English revenue at home, and to one of the very greatest articles of your own foreign trade. If you tax the import of that rebellious colony, what do you tax but your own manufactures, or the goods of some other obedient and already well-taxed colony? Who has said one word on this labyrinth of detail, which bewilders you more and more as you enter into it? Who has presented, who can present you with a clue to lead you out of it? I think, Sir, it is impossible that you should not recollect that the colony bounds are so implicated in one another — you know it by your other experiments in the bill for prohibiting the New England fishery — that you can lay no possible restraints on almost any of them which may not be presently eluded, if you do not confound the innocent with the guilty, and burthen those whom, upon every principle, you ought to exonerate. He must be grossly ignorant of America who thinks that, without falling into this confusion of all rules of equity and policy, you can restrain any single colony, especially Virginia and Maryland, the central and most important of them all.

69. Let it also be considered that, either in the present confusion you settle a permanent contingent, which will and must be trifling, and then you have no effectual revenue; or you change the quota at every exigency, and then on every new repartition you will have a new quarrel.

70. Reflect, besides, that when you have fixed a quota for every colony, you have not provided for prompt and punctual payment. Suppose one, two, five, ten years' arrears. You cannot issue a Treasury Extent against the failing colony. You must make new Boston Port Bills, new restraining laws, new acts for dragging men to England for trial. You must send out new fleets, new armies. All is to begin again. From this day forward the Empire is never to know an hour's tranquillity. An intestine fire will be kept alive in the bowels of the colonies, which one time or other must consume this whole Empire. I allow indeed that the empire of Germany raises her revenue and her troops by quotas and contingents; but the revenue of the empire, and the army of the empire, is the worst revenue and the worst army in the world.

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72. Compare the two. This I offer to give you is plain and simple. The other full of perplexed and intricate mazes. This

is mild; that harsh. This is found by experience effectual for its purposes; the other is a new project. This is universal; the other calculated for certain colonies only. This is immediate in its conciliatory operation; the other remote, contingent, full of hazard. Mine is what becomes the dignity of a ruling people — gratuitous, unconditional, and not held out as a matter of bargain and sale. I have done my duty in proposing it to you. I have indeed tired you by a long discourse; but this is the misfortune of those to whose influence nothing will be conceded, and who must win every inch of their ground by argument. You have heard me with goodness. May you decide with wisdom! For my part, I feel my mind greatly disburthened by what I have done to-day. I have been the less fearful of trying your patience, because on this subject I mean to spare it altogether in future. I have this comfort, that in every stage of the American affairs I have steadily opposed the measures that have produced the confusion, and may bring on the destruction, of this Empire. I now go so far as to risk a proposal of my own. If I cannot give peace to my country, I give it to my conscience.

73. But what, says the financier, is peace to us without money? Your plan gives us no revenue. No! But it does; for it secures to the subject the power of refusal, the first of all revenues. Experience is a cheat, and fact a liar, if this power in the subject of proportioning his grant, or of not granting at all, has not been found the richest mine of revenue ever discovered by the skill or by the fortune of man. It does not indeed vote you 152,750*l.* 11*s.* 2¾*d.*, nor any other paltry limited sum; but it gives the strong box itself, the fund, the bank — from whence only revenues can arise amongst a people sensible of freedom. *Posita luditur arca.* Cannot you, in England — cannot you, at this time of day — cannot you, a House of Commons, trust to the principle which has raised so mighty a revenue, and accumulated a debt of near 140,000,000

in this country? Is this principle to be true in England, and false everywhere else? Is it not true in Ireland? Has it not hitherto been true in the colonies? Why should you presume that, in any country, a body duly constituted for any function will neglect to perform its duty and abdicate its trust? Such a presumption would go against all governments in all modes. But, in truth, this dread of penury of supply from a free assembly has no foundation in nature; for first, observe that, besides the desire which all men have naturally of supporting the honor of their own government, that sense of dignity and that security to property which ever attends freedom has a tendency to increase the stock of the free community. Most may be taken where most is accumulated. And what is the soil or climate where experience has not uniformly proved that the voluntary flow of heaped-up plenty, bursting from the weight of its own rich luxuriance, has ever run with a more copious stream of revenue than could be squeezed from the dry husks of oppressed indigence by the straining of all the politic machinery in the world?

74. Next, we know that parties must ever exist in a free country. We know, too, that the emulations of such parties — their contradictions, their reciprocal necessities, their hopes and their fears — must send them all in their turns to him that holds the balance of the State. The parties are the gamesters; but Government keeps the table, and is sure to be the winner in the end. When this game is played, I really think it is more to be feared that the people will be exhausted, than that government will not be supplied; whereas, whatever is got by acts of absolute power ill obeyed, because odious, or by contracts ill kept, because constrained, will be narrow, feeble, uncertain, and precarious.

Ease would retract
Vows made in pain, as violent and void.

75. I, for one, protest against compounding our demands. I declare against compounding, for a poor limited sum, the

immense, ever-growing, eternal debt which is due to generous government from protected freedom. And so may I speed in the great object I propose to you, as I think it would not only be an act of injustice, but would be the worst economy in the world, to compel the colonies to a sum certain, either in the way of ransom or in the way of compulsory compact.

76. But to clear up my ideas on this subject: a revenue from America transmitted hither — do not delude yourselves — you never can receive it; no, not a shilling. We have experience that from remote countries it is not to be expected. If, when you attempted to extract revenue from Bengal, you were obliged to return in loan what you had taken in imposition, what can you expect from North America? For certainly, if ever there was a country qualified to produce wealth, it is India; or an institution fit for the transmission, it is the East India Company. America has none of these aptitudes. If America gives you taxable objects on which you lay your duties here, and gives you, at the same time, a surplus by a foreign sale of her commodities to pay the duties on these objects which you tax at home, she has performed her part to the British revenue. But with regard to her own internal establishments, she may, I doubt not she will, contribute in moderation. I say in moderation, for she ought not to be permitted to exhaust herself. She ought to be reserved to a war, the weight of which, with the enemies that we are most likely to have, must be considerable in her quarter of the globe. There she may serve you, and serve you essentially.

77. For that service — for all service, whether of revenue, trade, or empire — my trust is in her interest in the British Constitution. My hold of the colonies is in the close affection which grows from common names, from kindred blood, from similar privileges, and equal protection. These are ties which, though light as air, are as strong as links of iron. Let the colonists always keep the idea of their civil rights associated with your government, — they will cling and grapple to you,

and no force under heaven will be of power to tear them from their allegiance. But let it be once understood that your government may be one thing, and their privileges another, that these two things may exist without any mutual relation, the cement is gone — the cohesion is loosened — and everything hastens to decay and dissolution. As long as you have the wisdom to keep the sovereign authority of this country as the sanctuary of liberty, the sacred temple consecrated to our common faith, wherever the chosen race and sons of England worship freedom, they will turn their faces towards you. The more they multiply, the more friends you will have; the more ardently they love liberty, the more perfect will be their obedience. Slavery they can have anywhere — it is a weed that grows in every soil. They may have it from Spain; they may have it from Prussia. But, until you become lost to all feeling of your true interest and your natural dignity, freedom they can have from none but you. This is the commodity of price of which you have the monopoly. This is the true Act of Navigation which binds to you the commerce of the colonies, and through them secures to you the wealth of the world. Deny them this participation of freedom, and you break that sole bond which originally made, and must still preserve, the unity of the Empire. Do not entertain so weak an imagination as that your registers and your bonds, your affidavits and your sufferances, your cockets and your clearances, are what form the great securities of your commerce. Do not dream that your letters of office, and your instructions, and your suspending clauses are the things that hold together the great contexture of the mysterious whole. These things do not make your government. Dead instruments, passive tools as they are, it is the spirit of the English communion that gives all their life and efficacy to them. It is the spirit of the English Constitution which, infused through the mighty mass, pervades, feeds, unites, invigorates, vivifies every part of the Empire, even down to the minutest member.

78. Is it not the same virtue which does everything for us here in England? Do you imagine, then, that it is the Land Tax Act which raises your revenue? that it is the annual vote in the Committee of Supply which gives you your army? or that it is the Mutiny Bill which inspires it with bravery and discipline? No! surely no! It is the love of the people; it is their attachment to their government, from the sense of the deep stake they have in such a glorious institution, which gives you your army and your navy, and infuses into both that liberal obedience without which your army would be a base rabble, and your navy nothing but rotten timber.

79. All this, I know well enough, will sound wild and chimerical to the profane herd of those vulgar and mechanical politicians who have no place among us; a sort of people who think that nothing exists but what is gross and material, and who, therefore, far from being qualified to be directors of the great movement of empire, are not fit to turn a wheel in the machine. But to men truly initiated and rightly taught, these ruling and master principles which, in the opinion of such men as I have mentioned, have no substantial existence, are in truth everything, and all in all. Magnanimity in politics is not seldom the truest wisdom; and a great empire and little minds go ill together. If we are conscious of our station, and glow with zeal to fill our places as becomes our situation and ourselves, we ought to auspicate all our public proceedings on America with the old warning of the church, *Sursum corda!* We ought to elevate our minds to the greatness of that trust to which the order of Providence has called us. By adverting to the dignity of this high calling our ancestors have turned a savage wilderness into a glorious empire, and have made the most extensive and the only honorable conquests — not by destroying, but by promoting the wealth, the number, the happiness, of the human race. Let us get an American revenue as we have got an American empire. English privileges have made it all that it is; English privileges alone will make it all it can be.

THE MURDER OF CAPTAIN JOSEPH WHITE

DANIEL WEBSTER

ADDRESS TO THE JURY DELIVERED IN AUGUST, 1830, AT THE TRIAL OF FRANK KNAPP FOR THE MURDER OF JOSEPH WHITE

INTRODUCTION

Daniel Webster, lawyer, orator, and statesman, was born in Salisbury, New Hampshire, January 18, 1782. His father, a sturdy frontiersman, soldier, farmer, member of the legislature, and county judge, was always struggling with poverty and always handicapped by a sense of the deficiencies of his early education. Living on the frontier, Daniel was compelled to depend for his early education on his mother and the scanty schooling customary in winter; and for much of this he was indebted to the fact that he was the weakest of the family. When he was fifteen years old a family council decided to send him to college. After an imperfect preparation he entered Dartmouth College, and was graduated in 1801. He at once began the study of law, supporting himself meanwhile, and assisting his brother Ezekiel in college, by copying, teaching, and other miscellaneous labors. He was admitted to the bar in Boston in 1805, from the office of Christopher Gore, and began the practice of law at Boscawen, a small town near his home. Two years later he moved to Portsmouth. There he soon enjoyed a stimulating competition and helpful friendship with Jeremiah Mason, at that time leader of the New Hampshire bar. Webster's remarkable abilities as a lawyer and orator soon brought him recognition. In 1813 he took his seat in Congress. During the next few years he was building his legal reputation and becoming known in cases before the Supreme Court. In 1816 he moved to Boston, and for the succeeding five years devoted himself exclusively to the practice

of law. This was a period marked by rapid intellectual growth and by the first exhibition of his talents on a large scale. By his argument in the famous Dartmouth College Case, in 1818, he established a national reputation as a constitutional lawyer; and the Plymouth oration, in 1820, showed him to be a master in the art of occasional oratory. In 1830 came the celebrated "Reply to Hayne," whereby he gained his well-earned title of the Expounder of the Constitution.

Webster's fame as a statesman rests on his exposition of the idea of nationality. He was not a constructive genius, but did a great work in preparing the way for others. His Hayne reply put the government in an attitude of preparation, — an attitude due to Webster's great and successful argumentation. His "Liberty and Union" sentiment was reëchoed in his last notable speech, delivered March 7, 1850, a speech at once the most loudly praised and the most strongly censured of any in the history of American oratory. "I wish to speak to-day," he said in opening, "not as a Massachusetts man, not as a Northern man, but as an American." The Union was with him the paramount issue. The result is well known. Many of his Northern admirers turned from him as a recreant bidding for Southern votes for the presidency. The truth of the charge is still a mooted question, but Webster's side of the case has no doubt received too little consideration. He was still for the Union with a passionate devotion, with an equal dislike for the abolitionist and the secessionist, who endangered the Union. But his highly developed sense of nationality led him to attempt compromise when compromise was no longer possible; the sectional issue was already forced too far for even Webster to help avert the dreaded result of "states dissevered, discordant, belligerent."

Webster's one great life purpose was to make the United States a nation, — to read nationality into the Constitution and fix it in the minds of the people; in this he succeeded. His one great ambition was the presidency; in this he failed. He died at his home in Marshfield, Massachusetts, October 24, 1852, disappointed at his loss of the nomination for the presidency, for which he had long been a logical candidate, but an office which could not have added to, and might easily have detracted from, his national fame, — a fame resting secure on the record of his invaluable services during a peculiarly critical period in our national development.

Though critics have differed widely regarding Webster from political and ethical standpoints, none have ever questioned his right to be ranked among the world's greatest orators. Not inaptly may he be called the American Demosthenes, for he had the combined simplicity and strength of the great Greek, and excelled the latter in natural endowments.

The first thing to be noted regarding Webster's oratory — the first thing always noted by those who saw him — is his physical equipment. It is necessary for one to understand the mere physical influence of the man himself in order to appreciate the immediate influence of his speeches. In face, form, and voice, nature did her utmost for the "godlike Daniel." Making all due allowances for the exaggerations of contemporary hero worshipers, Webster's physique, carriage, and look were so unusual as to command unusual attention. When visiting England he was pointed out on the streets of Liverpool by an English navvy, who said, "There goes a king." And Sydney Smith exclaimed, "Good heavens! he is a small cathedral in himself." Webster was five feet ten inches in height, and after reaching maturity weighed a little less than two hundred pounds. While these are the proportions of a large man, they are not unusual, and do not explain why he was so often called a "giant." This is rather explained by the fact that, as Phillips says of O'Connell, "his presence filled the eye." Webster had an unusually large head, his brain being one of the three heaviest on record; straight black hair; a high, broad forehead; heavy, black, "beetling" eyebrows; high cheek bones; a prominent aquiline nose; a large, firm mouth; a swarthy (copper) complexion; and, most remarkable of all, large, deep-set black eyes, "glowing like anthracite coal." Even in his youth he was noted for the "Batchelder eyes" (from his mother, and also inherited by Caleb Cushing, Nathaniel Hawthorne, and John G. Whittier). Webster himself says that as a boy in his native town he was called All-Eyes. Attractive in repose, when aroused few could withstand his look; "the dull black eyes under the precipice of brows," wrote Carlyle to Emerson, "like dull anthracite furnaces needing only to be *blown*."

Webster's voice was in harmony with his physical impressiveness. It had great compass, — was low and musical in conversation, in debate high and full, now ringing out like a clarion, and then sinking to deep, rich, organlike notes.

Withal he had a dignity in carriage and delivery which comported with these physical attributes. It has been said that his fame as an orator rests upon the fact that "he never spoke except on great themes." Though this may not be literally true, certain it is that there runs through all his speeches a vein of seriousness and dignity befitting the subject and the occasion. Speaking usually on great themes, he always had the great manner,—sometimes pompous and heavy, perhaps, but never any suggestion of the "funny man." He never descends to personal abuse. The nearest approach to this, perhaps, may be found in his "Reply to Hayne," where his elephantine humor and withering sarcasm were used with crushing effect; but these were justified by the nature and method of Hayne's attack.

With such marvelous physical gifts, we should naturally expect that the immediate influence of his oratory would be very effective, and such was the case. Two or three instances must suffice. Mr. Ticknor, a man not disposed by training or habits to indulge a facile enthusiasm, after hearing the Plymouth oration wrote to a friend:

"I was never so excited by public speaking before in my life. Three or four times I thought my temples would burst with the gush of blood; for, after all, you must know that I am aware it is no connected whole, but a collection of wonderful fragments of burning eloquence, to which his whole manner gave tenfold force. When I came out I was almost afraid to come near him. It seemed to me as if he was like the mount that might not be touched and that burned with fire."

The immediate effect of his peroration in the Dartmouth College and Hayne speeches has been so frequently told that it requires no repetition here. After the Seventh of March speech (previously alluded to) a noted abolitionist leader and bitter opponent is reported to have said, "When Webster, speaking of secession, asked 'What is to become of me?' I was thrilled with a sense of some awful impending calamity." Again, while addressing an immense audience in Boston, at a time when the Whig party thought of dissolution, Webster asked, "If you break up the Whig party, where am *I* to go?" James Russell Lowell, who was in the audience, said, "We held our breath, thinking where he could go; but if he had been five feet three, we should have said, 'Who cares where you go?'" In his *Autobiography of Seventy*

Years, Senator Hoar writes of the time when he first saw Webster, June 17, 1843, at the dedication of the Bunker Hill Monument:

"His countenance, his figure, and his manners were all in so grand a style that he was, without effort, as superior to his most eminent rivals as they were to the humblest. He, alone of all men, did not disappoint the eye and the ear, but was a fit figure in the landscape. There was the monument and there was Webster! . . . The whole occasion was answered by his presence."

Favorable as were Webster's natural endowments, they were not brought to the perfection he attained without training. The "oratorical instinct" developed early. As a boy he cultivated the art of declaiming and reading aloud. We are told how the passing teamsters, while they watered their horses, delighted to get "Webster's boy," with his delicate look and great dark eyes, to come out beneath the shade of the trees and read the Bible to them with all the force of his childish eloquence. At Exeter Academy timidity overcame him and he could not summon courage to declaim. "Many a piece did I commit to memory," he said, "and recite and rehearse in my own room, over and over again; yet when the day came on which the school collected to hear declamations, when my name was called, and I saw all eyes turned to my seat, I could not raise myself from it." At college, however, he found his voice, and devoted much time to practice in speaking. He thus attracted sufficient notice to be invited by the citizens of the town of Hanover to deliver a Fourth of July oration. As to his manner of speaking in his college days, Senator Lodge writes[1]: "He would enter the classroom or debating society and begin in a low voice and almost sleepy manner, and would then gradually rouse himself like a lion, and pour forth his words until he had his hearers completely under his control, and glowing with enthusiasm." This characterization is interesting in that it describes Webster more especially as he was in his later days, — a lion that needed to be aroused. He was conscious, of course, of his superb physical gifts, and as he grew older came to rely on them more and more. Though a man with great capacity for work, and often devoting himself with intense and protracted application, he was phlegmatic in temperament, and his constitutional sluggishness naturally increased as he grew older, until a direct stimulus was needed to make him exert himself. "In his latter days he made

[1] Lodge, *Daniel Webster* (American Statesman Series), p. 19.

many careless and dull speeches, and carried them through by the power of his look and manner, but the time never came when, if fairly aroused, he failed to sway the hearts and understandings of men by a grand and splendid eloquence. The lion slept very often, but it never became safe to rouse him from his slumber."[1]

So much as to Webster's manner as an orator. The matter and style of his speeches open up such a broad subject that only a few salient features can be considered.

And first, the perfection of a style that has come to be known as distinctively *Websterian* came by laborious preparation and gradual development. Unlike Phillips and Grady, for example, whose first noteworthy speeches were as good as later ones, there can be traced in Webster's published speeches a gradual improvement in logical structure and simplicity of diction, and if some of his earlier efforts be included in the comparison, the improvement is all the more striking. Webster was a man of slow growth, not reaching his highest point until he was nearly fifty years of age. He passed through the "Sophomoric" stage of bombast and emptiness. His speeches delivered during his college days and immediately afterward are, when compared with his really great speeches, very florid, inflated, and heavy. In this connection it will be interesting to note his own testimony on the formation of his literary style and his method of preparing his speeches. In reply to questions on these matters at different times and by different persons, he is reported to have said:

"When I was a young man, a student in college, I delivered a Fourth of July oration. A copy of it was given to the press, and a review of it appeared. The critic praised parts of the oration as vigorous and eloquent, but other parts he criticised severely, saying they were mere emptiness. I thought this criticism was just, and I resolved that whatever should be said of my style, from that time forth there should be no emptiness in it. I read such English authors as fell in my way, particularly Addison, with great care. Besides, I remembered that I had to earn my bread by addressing the understandings of common men, — by convincing juries, — and that I must use language intelligible to them. You will therefore find in my speeches to juries no hard words, no Latin phrase. . . . When I was a young man, my style was bombastic

[1] Lodge, *Daniel Webster* (American Statesman Series), p. 19.

and pompous in the extreme, and I determined to correct it, if labor could do it. Whether it has been corrected or not, no small part of my life has been spent in the attempt. . . . I early felt the importance of thought. I have rewritten sentence after sentence and pondered long upon each alteration. For depend upon it, it is with our thoughts as with our persons, their intrinsic value is mostly undervalued unless expressed in attractive garb. . . . No man who is not inspired can make a good speech without preparation; if there are any of that sort of people, I have never met them. My reply to Hayne was based upon full notes that I had made for another speech upon the same general subject. If he had tried to make a speech to fit my notes, he could not have hit it better. The materials for that speech had been lying in my mind for eighteen months, though I had never committed my thoughts to paper, or arranged them in my memory. As for speaking 'on the spur of the moment,' there is no such thing as extemporaneous acquisition."

From the foregoing it appears that Webster took great pains in the preparation of his speeches — especially was this true of the orations delivered on special occasions — and was a severe critic of his own style. The result was a style of which the most striking characteristics are massive strength joined with perfect simplicity; a preference, as he himself said, for Anglo-Saxon words; short sentences, where required for the most direct and vigorous expression of the thought, yet sufficient variety to avoid harshness and monotony.

Some of Webster's critics are fond of comparing him with Burke. In the organization of material and, at times, in the Miltonic grandeur of expression, the comparison holds good. But the difference was that one had the very highest order of talent, the other had the very highest order of genius. Burke surpasses him in genius as he surpasses Burke in the power to make genius immediately effective. Webster was the better orator, for he won his causes. He never allowed his hearers to lose sight of the main issue in a multitude of details. He had not Burke's imagination, but his figures of speech rarely violated the canons of good taste. As another has said, "Where Webster reasoned, Burke philosophized; where Webster was serene, equable, ponderous, dealing his blows like an ancient catapult, Burke was clamorous, fiery, multitudinous, rushing forward like his own 'whirlwind of cavalry.'

. . . Webster was the Roman temple, stately, solid, massive; Burke, the Gothic cathedral, fantastic, aspiring, and many-colored. Webster advances, in his heavy logical march and his directness of purpose, like a Cæsarean legion, close, serried, firm, square; Burke, like an oriental procession, with elephants and trophies, and the pomp of banners."

Unlike many orators of ephemeral fame, and contrary to the maxim of Fox, Webster's speeches read well. Many of those on contemporary questions are of course dull reading, but not so the majority of his speeches. His great efforts in the fields of deliberative, demonstrative, and forensic oratory have a literary value of the highest and most lasting kind, and hold first rank in oratorical literature. As Goldwin Smith says,[1] "In political oratory it would be hard to find anything superior to the Reply to Hayne; in demonstrative oratory, anything superior to the Plymouth oration; in forensic oratory, anything superior to the speech on the murder of White."

Matter and manner both considered, Webster may well be viewed as "the perfected fruit of twenty-four centuries of oratorical culture." When we consider that for fifty years he practiced all branches of oratory and excelled in each; when we consider the mastery shown in the great variety of subjects with which he dealt; when we remember his immediate influence over an audience, and the continued influence of those great speeches which are still read and studied as literary masterpieces, — we must conclude that, measured by absolute standards, so far as such standards can be fixed, he was the greatest orator of modern times, and holds his own in comparison with the ancients.

While Webster is perhaps best known as an orator and statesman, his record as a lawyer would alone have gained him a national reputation. Though not a maker of law as were Mansfield or Marshall, he had a wide, sure, and ready knowledge of both principles and cases. As an advocate he had "a quick apprehension, an unerring sagacity for vital and essential points, a perfect sense of proportion, an almost unequaled power of statement, backed by reasoning at once close and lucid." It was fortunate for Webster that he early came in contact with one of the greatest masters of the

[1] *Nineteenth Century*, Vol. XXIV, p. 262.

common law this country has ever produced, Jeremiah Mason. It has been said that Mason educated Webster into a lawyer by opposing him. Of all men who ever appeared before a jury Mason was the most terrible enemy of florid rhetoric. Six feet and seven inches high, and corpulent in proportion, he stood, while he was arguing a case, "quite near to the jury," says Webster, — "so near that he might have laid his finger on the foreman's nose; and then he talked to them in a plain conversational way, in short sentences, and using no word that was not level to the comprehension of the least educated man on the panel. This led me," he adds, "to examine my own style, and I set about reforming it altogether." The pupil, however, in time outstripped his master. To Mason's severe logic and plain statement, Webster added the *persuasive* element in his speeches to courts and juries. The most notable instance of this is his argument in the Dartmouth College Case. In addition to the exhaustive citation of authorities by which the reasoning was sustained, he so infused emotion into his reasoning that it had its effect even on the judges of our Supreme Court, — as was evidenced again in the argument of Joseph H. Choate in the Income Tax Case of 1890.

As an example of a jury address, the speech that follows has long been considered a model of its kind. The judicial attitude whereby Webster constitutes himself the thirteenth juryman; the avoidance of the overstatement of his own case or understatement of his opponent's case; the logical structure; the massing, weighing, and handling of the circumstantial and direct evidence; the skillful bridging of wide gaps in the testimony; and the eloquent concluding appeal, make this a speech unsurpassed in forensic oratory.

As to the circumstances which gave rise to this speech, the following account of the case, condensed from that given in Volume I of Webster's *Works*, will assist the reader to a better understanding of the argument:

On the morning of April 7, 1830, Captain Joseph White, a retired wealthy merchant eighty-two years of age, was found murdered in his bed in his mansion house at Salem, Massachusetts. The murder was first discovered by Mr. White's manservant. He and the maidservant were the only persons who slept in the house that night, except Mr. White himself, whose niece, Mrs. Beckford,

his housekeeper, was then absent on a visit to her daughter at Wenham.

The physicians and the coroner's jury, who were called to examine the body, found on it thirteen deep stabs, made as if by a sharp dirk or poniard, and the appearance of a heavy blow on the left temple, which had fractured the skull but not broken the skin. The body was cold and appeared to have been lifeless many hours.

On examining the apartments of the house, it did not appear that any valuable articles had been taken or the house ransacked for them; there was a *rouleau* of doubloons in an iron chest in his chamber, and costly plate in other apartments, none of which was missing.

Large rewards for the detection of the murderers were offered by the heirs of the deceased, by the selectmen of the town, and by the governor of the state. The citizens held a public meeting, and appointed a Committee of Vigilance, of twenty-seven members, to make all possible exertions to ferret out the offenders.

Meantime it was announced that a bold attempt at highway robbery was made in Wenham, by three footpads, on Joseph and Frank Knapp, on the evening of the 27th of April, while they were returning in a chaise from Salem to their residence in Wenham. They appeared before the investigating committee and testified to the attack.

Not the slightest clew to the murder could be found for several weeks, and the mystery seemed to be impenetrable. At length a prisoner in the jail at New Bedford, seventy miles from Salem, intimated that he could make important disclosures. A confidential messenger was immediately sent to ascertain what he knew on the subject. The prisoner's name was Hatch; he had been committed before the murder. He stated that, some months before the murder, he had associated in Salem with Richard Crowninshield, Jr., of Danvers, and had often heard Crowninshield express his intention to destroy the life of Mr. White.

The disclosures of Hatch received credit. When the Supreme Court met at Ipswich the Attorney-General, Morton, moved for a writ of *habeas corpus ad testif.*, and Hatch was carried in chains from New Bedford before the grand jury, and on his testimony an indictment was found against Crowninshield. Other witnesses testified that on the night of the murder his brother, George

Crowninshield, Colonel Benjamin Selman of Marblehead, and Daniel Chase of Lynn were together in Salem at a gambling house usually frequented by Richard; these were indicted as accomplices in the crime. They were all arrested on the 2d of May, arraigned on the indictment, and committed to prison to await the sitting of a court that should have jurisdiction of the offense.

A fortnight afterwards Captain Joseph J. Knapp, a shipmaster and merchant, a man of good character, received by mail a letter signed "Charles Grant, Jr.," demanding a large sum of money and threatening to make ruinous disclosures if the money were not forthcoming at once. This letter was an enigma to Captain Knapp; he knew no man of the name of Charles Grant, Jr., and had no acquaintance at Belfast, a town in Maine two hundred miles distant from Salem. After poring over it in vain, he handed it to his son, Phippen Knapp, a young lawyer; to him also the letter was inexplicable. Captain Knapp and his son Phippen therefore concluded to ride to Wenham, seven miles distant, and show the letter to Captain Knapp's other two sons, Joseph and Frank, who were then residing at Wenham with Mrs. Beckford, the niece and late housekeeper of Mr. White, and the mother of the wife of Joseph Knapp. The latter perused the letter, told his father it "contained a devilish lot of trash," and requested him to hand it to the Committee of Vigilance. Captain Knapp, on his return to Salem that evening, accordingly delivered the letter to the chairman of the Committee.

The next day Joseph Knapp went to Salem and requested one of his friends to drop into the Salem post office two pseudonymous letters, addressed to the Vigilance Committee and to Stephen White (a nephew of Joseph White and his principal legatee) and signed "Grant" and "N. Claxton, 4th," respectively. When Knapp delivered these letters to his friend, he said, "My father has received an anonymous letter, and what I want you for is to put these in the post office in order to nip this silly affair in the bud."

When the Committee of Vigilance read and considered the letter purporting to be signed by Charles Grant, Jr., which had been delivered to them by Captain Knapp, they immediately dispatched a discreet messenger to Belfast, in Maine; he explained his business confidentially to the postmaster there, deposited a letter addressed to Charles Grant, Jr., and awaited the call of Grant to

receive it. He soon called for it, when an officer stationed in the house stepped forward and arrested Grant. On examining him, it appeared that his true name was Palmer. While he protested his own innocence, he disclosed that he had been an associate of Richard Crowninshield, Jr., and George Crowninshield; that he had spent part of the winter at Danvers and Salem, under the name of Carr; that part of the time he had been their guest, concealed in their father's house in Danvers; that on the 2d of April he saw from the windows of the house Frank Knapp and a young man named Allen ride up to the house; that George walked away with Frank, and Richard with Allen; that on their return George told Richard that Frank wished them to undertake to kill Mr. White, and that Joseph Knapp would pay one thousand dollars for the job; that they proposed various modes of executing it, and asked Palmer to be concerned, which he declined; that George said the housekeeper would be away at the time; that the object of Joseph Knapp was to destroy the will, because it gave most of the property to Stephen White; that Joseph Knapp was first to destroy the will; that he could get from the housekeeper the keys of the iron chest in which it was kept; that Frank called again the same day, in a chaise, and rode away with Richard; and that on the night of the murder Palmer stayed at the Halfway House in Lynn.

A warrant was issued at once against Joseph Knapp and Frank Knapp, and they were taken into custody and imprisoned to await the arrival of Palmer for their examination.

Joseph Knapp, on the third day of his imprisonment, made a full confession that he projected the murder. He knew that Mr. White had made his will and given to Mrs. Beckford, Knapp's mother-in-law, a legacy of fifteen thousand dollars, but supposed that if he died without leaving a will, she would inherit nearly two hundred thousand dollars. He corroborated all that Palmer had said, and gave full details of the crime. He further confessed that the account of the Wenham robbery, on the 27th of April, was a sheer fabrication.

Palmer was brought to Salem in irons and committed to prison. Richard Crowninshield saw him taken from the carriage, and thus finding the proofs of his guilt and depravity thicken, committed suicide by hanging himself to the bars of his cell. He left letters to his father and brother expressing in general terms the viciousness of his life and his hopelessness of escape from punishment.

A special term of the Supreme Court was held at Salem on the 20th of July for the trial of the prisoners charged with the murder; it continued in session till the 20th of August, with a few days' intermission. An indictment for the murder was found against Frank Knapp as principal, and Joseph Knapp and George Crowninshield as accessories.

The principal, Frank Knapp, was first put on trial. An accessory in a murder could not be tried until a principal had been convicted. He was defended by advocates of high reputation for ability and eloquence; the trial was long and arduous, and the witnesses numerous. His brother Joseph, who had made a full confession, on the government's promise of immunity if he would in good faith testify the truth, was brought into court, called to the stand as a witness, but declined to testify. To convict the prisoner it was necessary for the government to prove that he was *present*, actually or constructively, as an aider or abettor in the murder. The evidence was strong that there was a conspiracy to commit the murder, that the prisoner was one of the conspirators, that at the time of the murder he was in Brown Street at the rear of Mr. White's garden; and the jury were satisfied that he was in that place to aid and abet in the murder, ready to afford assistance if necessary. He was convicted. Joseph Knapp was afterwards tried as an accessory before the fact and convicted. George Crowninshield proved an *alibi* and was discharged. The execution of the Knapp brothers closed the tragedy.

It may be added that the crime itself was committed under a misapprehension, Joseph Knapp having erroneously been informed that if Captain White died intestate Mrs. Beckford, Knapp's mother-in-law, would inherit half the estate. It also appears that although a will was abstracted, another and subsequent will was found among the murdered man's effects.

At the trial of Frank Knapp, Franklin Dexter, Esq., addressed the jury on behalf of the prisoner, and Webster replied in the following speech.

1. I am little accustomed, Gentlemen, to the part which I am now attempting to perform. Hardly more than once or twice has it happened to me to be concerned on the side of the government in any criminal prosecution whatever; and never, until the present occasion, in any case affecting life.

2. But I very much regret that it should have been thought necessary to suggest to you that I am brought here to "hurry you against the law and beyond the evidence." I hope I have too much regard for justice, and too much respect for my own character, to attempt either; and were I to make such attempt, I am sure that in this court nothing can be carried against the law, and that gentlemen, intelligent and just as you are, are not, by any power, to be hurried beyond the evidence. Though I could well have wished to shun this occasion, I have not felt at liberty to withhold my professional assistance, when it is supposed that I may be in some degree useful in investigating and discovering the truth respecting this most extraordinary murder. It has seemed to be a duty incumbent on me, as on every other citizen, to do my best and my utmost to bring to light the perpetrators of this crime. Against the prisoner at the bar, as an individual, I cannot have the slightest prejudice. I would not do him the smallest injury or injustice. But I do not affect to be indifferent to the discovery and the punishment of this deep guilt. I cheerfully share in the opprobrium, how great soever it may be, which is cast on those who feel and manifest an anxious concern that all who had a part in planning, or a hand in executing, this deed of midnight assassination, may be brought to answer for their enormous crime at the bar of public justice.

3. Gentlemen, it is a most extraordinary case. In some respects, it has hardly a precedent anywhere; certainly none in our New England history. This bloody drama exhibited no suddenly excited, ungovernable rage. The actors in it were not surprised by any lionlike temptation springing upon their virtue, and overcoming it, before resistance could begin. Nor did they do the deed to glut savage vengeance, or satiate long-settled and deadly hate. It was a cool, calculating, money-making murder. It was all "hire and salary, not revenge." It was the weighing of money against life; the counting

out of so many pieces of silver against so many ounces of blood.

4. An aged man, without an enemy in the world, in his own house, and in his own bed, is made the victim of a butcherly murder, for mere pay. Truly, here is a new lesson for painters and poets. Whoever shall hereafter draw the portrait of murder, if he will show it as it has been exhibited, where such example was last to have been looked for, in the very bosom of our New England society, let him not give it the grim visage of Moloch, the brow knitted by revenge, the face black with settled hate, and the bloodshot eye emitting livid fires of malice. Let him draw, rather, a decorous, smooth-faced, bloodless demon; a picture in repose, rather than in action; not so much an example of human nature in its depravity, and in its paroxysms of crime, as an infernal being, a fiend, in the ordinary display and development of his character.

5. The deed was executed with a degree of self-possession and steadiness equal to the wickedness with which it was planned. The circumstances now clearly in evidence spread out the whole scene before us. Deep sleep had fallen on the destined victim, and on all beneath his roof. A healthful old man, to whom sleep was sweet, the first sound slumbers of the night held him in their soft but strong embrace. The assassin enters, through the window already prepared, into an unoccupied apartment. With noiseless foot he paces the lonely hall, half lighted by the moon; he winds up the ascent of the stairs, and reaches the door of the chamber. Of this, he moves the lock, by soft and continued pressure, till it turns on its hinges without noise; and he enters, and beholds his victim before him. The room is uncommonly open to the admission of light. The face of the innocent sleeper is turned from the murderer, and the beams of the moon, resting on the gray locks of his aged temple, show him where to strike. The fatal blow is given! and the victim passes, without a struggle or a motion,

from the repose of sleep to the repose of death! It is the assassin's purpose to make sure work; and he plies the dagger, though it is obvious that life has been destroyed by the blow of the bludgeon. He even raises the aged arm, that he may not fail in his aim at the heart, and replaces it again over the wounds of the poniard! To finish the picture, he explores the wrist for the pulse! He feels for it, and ascertains that it beats no longer! It is accomplished. The deed is done. He retreats, retraces his steps to the window, passes out through it as he came in, and escapes. He has done the murder. No eye has seen him, no ear has heard him. The secret is his own, and it is safe!

6. Ah! Gentlemen, that was a dreadful mistake. Such a secret can be safe nowhere. The whole creation of God has neither nook nor corner where the guilty can bestow it, and say it is safe. Not to speak of that eye which pierces through all disguises, and beholds everything as in the splendor of noon, such secrets of guilt are never safe from detection, even by men. True it is, generally speaking, that "murder will out." True it is, that Providence hath so ordained, and doth so govern things, that those who break the great law of Heaven by shedding man's blood seldom succeed in avoiding discovery. Especially in a case exciting so much attention as this, discovery must come, and will come, sooner or later. A thousand eyes turn at once to explore every man, every thing, every circumstance, connected with the time and place; a thousand ears catch every whisper; a thousand excited minds intensely dwell on the scene, shedding all their light, and ready to kindle the slightest circumstance into a blaze of discovery. Meantime the guilty soul cannot keep its own secret. It is false to itself; or rather it feels an irresistible impulse of conscience to be true to itself. It labors under its guilty possession, and knows not what to do with it. The human heart was not made for the residence of such an inhabitant. It finds itself preyed on by a torment which it dares not acknowledge to God or man. A

vulture is devouring it, and it can ask no sympathy or assistance, either from heaven or earth. The secret which the murderer possesses soon comes to possess him; and, like the evil spirits of which we read, it overcomes him, and leads him whithersoever it will. He feels it beating at his heart, rising to his throat, and demanding disclosure. He thinks the whole world sees it in his face, reads it in his eyes, and almost hears its workings in the very silence of his thoughts. It has become his master. It betrays his discretion, it breaks down his courage, it conquers his prudence. When suspicions from without begin to embarrass him, and the net of circumstance to entangle him, the fatal secret struggles with still greater violence to burst forth. It must be confessed, it will be confessed; there is no refuge from confession but suicide, and suicide is confession.

7. Much has been said, on this occasion, of the excitement which has existed, and still exists, and of the extraordinary measures taken to discover and punish the guilty. No doubt there has been, and is, much excitement, and strange indeed it would be had it been otherwise. Should not all the peaceable and well-disposed naturally feel concerned, and naturally exert themselves to bring to punishment the authors of this secret assassination? Was it a thing to be slept upon or forgotten? Did you, Gentlemen, sleep quite as quietly in your beds after this murder as before? Was it not a case for rewards, for meetings, for committees, for the united efforts of all the good, to find out a band of murderous conspirators, of midnight ruffians, and to bring them to the bar of justice and law? If this be excitement, is it an unnatural or an improper excitement?

8. It seems to me, Gentlemen, that there are appearances of another feeling, of a very different nature and character; not very extensive, I would hope, but still there is too much evidence of its existence. Such is human nature, that some persons lose their abhorrence of crime in their admiration of its magnificent

exhibitions. Ordinary vice is reprobated by them, but extraordinary guilt, exquisite wickedness, the high flights and poetry of crime, seize on the imagination, and lead them to forget the depths of the guilt, in admiration of the excellence of the performance, or the unequalled atrocity of the purpose. There are those in our day who have made great use of this infirmity of our nature, and by means of it done infinite injury to the cause of good morals. They have affected not only the taste, but I fear also the principles, of the young, the heedless, and the imaginative, by the exhibition of interesting and beautiful monsters. They render depravity attractive, sometimes by the polish of its manners, and sometimes by its very extravagance, and study to show off crime under all the advantages of cleverness and dexterity. Gentlemen, this is an extraordinary murder, but it is still a murder. We are not to lose ourselves in wonder at its origin, or in gazing on its cool and skillful execution. We are to detect and punish it; and while we proceed with caution against the prisoner, and are to be sure that we do not visit on his head the offenses of others, we are yet to consider that we are dealing with a case of most atrocious crime, which has not the slightest circumstance about it to soften its enormity. It is murder; deliberate, concerted, malicious murder.

9. Although the interest of this case may have diminished by the repeated investigation of the facts, still the additional labor which it imposes upon all concerned is not to be regretted if it should result in removing all doubts of the guilt of the prisoner.

10. The learned counsel for the prisoner has said truly that it is your individual duty to judge the prisoner; that it is your individual duty to determine his guilt or innocence; and that you are to weigh the testimony with candor and fairness. But much at the same time has been said, which, although it would seem to have no distinct bearing on the trial, cannot be passed over without some notice.

11. A tone of complaint so peculiar has been indulged as would almost lead us to doubt whether the prisoner at the bar, or the managers of this prosecution, are now on trial. Great pains have been taken to complain of the manner of the prosecution. We hear of getting up a case; of setting in motion trains of machinery; of foul testimony; of combinations to overwhelm the prisoner; of private prosecutors; that the prisoner is hunted, persecuted, driven to his trial; that everybody is against him; and various other complaints, as if those who would bring to punishment the authors of this murder were almost as bad as they who committed it.

12. In the course of my whole life, I have never heard before so much said about the particular counsel who happen to be employed; as if it were extraordinary that other counsel than the usual officers of the government should assist in the management of a case on the part of the government. In one of the last criminal trials in this county, that of Jackman for the "Goodridge robbery" (so called), I remember that the learned head of the Suffolk Bar, Mr. Prescott, came down in aid of the officers of the government. This was regarded as neither strange nor improper. The counsel for the prisoner, in that case, contented themselves with answering his arguments, as far as they were able, instead of carping at his presence.

13. Complaint is made that rewards were offered in this case, and temptations held out to obtain testimony. Are not rewards always offered when great and secret offenses are committed? Rewards were offered in the case to which I have alluded; and every other means taken to discover the offenders that ingenuity or the most persevering vigilance could suggest. The learned counsel have suffered their zeal to lead them into a strain of complaint at the manner in which the perpetrators of this crime were detected, almost indicating that they regard it as a positive injury to them to have found out their guilt.

Since no man witnessed it, since they do not now confess it, attempts to discover it are half esteemed as officious intermeddling and impertinent inquiry.

14. It is said, that here even a Committee of Vigilance was appointed. This is a subject of reiterated remark. This committee are pointed at, as though they had been officiously intermeddling with the administration of justice. They are said to have been "laboring for months" against the prisoner. Gentlemen, what must we do in such a case? Are people to be dumb and still, through fear of overdoing? Is it come to this, that an effort cannot be made, a hand cannot be lifted, to discover the guilty, without its being said there is a combination to overwhelm innocence? Has the community lost all moral sense? Certainly, a community that would not be roused to action upon an occasion such as this was, a community which should not deny sleep to their eyes and slumber to their eyelids till they had exhausted all the means of discovery and detection, must indeed be lost to all moral sense, and would scarcely deserve protection from the laws. The learned counsel have endeavored to persuade you, that there exists a prejudice against the persons accused of this murder. They would have you understand that it is not confined to this vicinity alone; but that even the legislature have caught this spirit; that through the procurement of the gentleman here styled private prosecutor, who is a member of the Senate, a special session of this court was appointed for the trial of these offenders; that the ordinary movements of the wheels of justice were too slow for the purposes devised. But does not everybody see and know that it was matter of absolute necessity to have a special session of the court? When or how could the prisoners have been tried without a special session? In the ordinary arrangement of the courts, but one week in a year is allotted for the whole court to sit in this county. In the trial of all capital offenses a majority of the court, at least,

is required to be present. In the trial of the present case alone, three weeks have already been taken up. Without such special session, then, three years would not have been sufficient for the purpose. It is answer sufficient to all complaints on this subject to say that the law was drawn by the late Chief Justice himself, to enable the court to accomplish its duties, and to afford the persons accused an opportunity for trial without delay.

15. Again, it is said that it was not thought of making Frank Knapp, the prisoner at the bar, a *principal* till after the death of Richard Crowninshield, Jr.; that the present indictment is an afterthought; that "testimony was got up" for the occasion. It is not so. There is no authority for this suggestion. The case of the Knapps had not then been before the grand jury. The officers of the government did not know what the testimony would be against them. They could not, therefore, have determined what course they should pursue. They intended to arraign all as principals who should appear to have been principals, and all as accessories who should appear to have been accessories. All this could be known only when the evidence should be produced.

16. But the learned counsel for the defendant take a somewhat loftier flight still. They are more concerned, they assure us, for the law itself, than even for their client. Your decision in this case, they say, will stand as a precedent. Gentlemen, we hope it will. We hope it will be a precedent both of candor and intelligence, of fairness and of firmness; a precedent of good sense and honest purpose pursuing their investigation discreetly, rejecting loose generalities, exploring all the circumstances, weighing each, in search of truth, and embracing and declaring the truth when found.

17. It is said that "laws are made, not for the punishment of the guilty, but for the protection of the innocent." This is not quite accurate, perhaps, but if so, we hope they will be so

administered as to give that protection. But who are the innocent whom the law would protect? Gentlemen, Joseph White was innocent. They are innocent who, having lived in the fear of God through the day, wish to sleep in peace through the night, in their own beds. The law is established that those who live quietly may sleep quietly; that they who do no harm may feel none. The gentleman can think of none that are innocent except the prisoner at the bar, not yet convicted. Is a proved conspirator to murder innocent? Are the Crowninshields and the Knapps innocent? What is innocence? How deep stained with blood, how reckless in crime, how deep in depravity may it be, and yet retain innocence? The law is made, if we would speak with entire accuracy, to protect the innocent by punishing the guilty. But there are those innocent out of a court, as well as in; innocent citizens not suspected of crime, as well as innocent prisoners at the bar.

18. The criminal law is not founded in a principle of vengeance. It does not punish that it may inflict suffering. The humanity of the law feels and regrets every pain it causes, every hour of restraint it imposes, and more deeply still every life it forfeits. But it uses evil as the means of preventing greater evil. It seeks to deter from crime by the example of punishment. This is its true, and only true main object. It restrains the liberty of the few offenders, that the many who do not offend may enjoy their liberty. It takes the life of the murderer, that other murders may not be committed. The law might open the jails, and at once set free all persons accused of offenses, and it ought to do so if it could be made certain that no other offenses would hereafter be committed; because it punishes, not to satisfy any desire to inflict pain, but simply to prevent the repetition of crimes. When the guilty, therefore, are not punished, the law has so far failed of its purpose; the safety of the innocent is so far endangered. Every unpunished murder takes away something from the security of every

man's life. Whenever a jury, through whimsical and ill-founded scruples, suffer the guilty to escape, they make themselves answerable for the augmented danger of the innocent.

19. We wish nothing to be strained against this defendant. Why, then, all this alarm? Why all this complaint against the manner in which the crime is discovered? The prisoner's counsel catch at supposed flaws of evidence, or bad character of witnesses, without meeting the case. Do they mean to deny the conspiracy? Do they mean to deny that the two Crowninshields and the two Knapps were conspirators? Why do they rail against Palmer, while they do not disprove, and hardly dispute, the truth of any one fact sworn to by him? Instead of this, it is made matter of sentimentality that Palmer has been prevailed upon to betray his bosom companions and to violate the sanctity of friendship. Again I ask, Why do they not meet the case? If the fact is out, why not meet it? Do they mean to deny that Captain White is dead? One would have almost supposed even that, from some remarks that have been made. Do they mean to deny the conspiracy? Or, admitting a conspiracy, do they mean to deny only that Frank Knapp, the prisoner at the bar, was abetting in the murder, being present, and so deny that he was a principal? If a conspiracy is proved, it bears closely upon every subsequent subject of inquiry. Why do they not come to the fact? Here the defense is wholly indistinct. The counsel neither take the ground, nor abandon it. They neither fly, nor light. They hover. But they must come to a closer mode of contest. They must meet the facts, and either deny or admit them. Had the prisoner at the bar, then, a knowledge of this conspiracy or not? This is the question. Instead of laying out their strength in complaining of the *manner* in which the deed is discovered, of the extraordinary pains taken to bring the prisoner's guilt to light, would it not be better to show there was no guilt? Would it not be better to show his innocence? They say, and they complain, that

the community feel a great desire that he should be punished for his crimes. Would it not be better to convince you that he has committed no crime?

20. Gentlemen, let us now come to the case. Your first inquiry, on the evidence, will be, Was Captain White murdered in pursuance of a conspiracy, and was the defendant one of this conspiracy? If so, the second inquiry is, Was he so connected with the murder itself as that he is liable to be convicted as a *principal?* The defendant is indicted as a *principal.* If not guilty *as such,* you cannot convict him. The indictment contains three distinct classes of counts. In the first, he is charged as having done the deed with his own hand; in the second, as an aider and abettor to Richard Crowninshield, Jr., who did the deed; in the third, as an aider and abettor to some person unknown. If you believe him guilty on either of these counts, or in either of these ways, you must convict him.

21. It may be proper to say, as a preliminary remark, that there are two extraordinary circumstances attending this trial. One is, that Richard Crowninshield, Jr., the supposed immediate perpetrator of the murder, since his arrest, has committed suicide. He has gone to answer before a tribunal of perfect infallibility. The other is, that Joseph Knapp, the supposed originator and planner of the murder, having once made a full disclosure of the facts, under a promise of indemnity, is, nevertheless, not now a witness. Notwithstanding his disclosure and his promise of indemnity, he now refuses to testify. He chooses to return to his original state, and now stands answerable himself, when the time shall come for his trial. These circumstances it is fit you should remember, in your investigation of the case.

22. Your decision may affect more than the life of this defendant. If he be not convicted as principal, no one can be. Nor can any one be convicted of a participation in the crime as accessory. The Knapps and George Crowninshield will be

again on the community. This shows the importance of the duty you have to perform, and serves to remind you of the care and wisdom necessary to be exercised in its performance. But certainly these considerations do not render the prisoner's guilt any clearer, nor enhance the weight of the evidence against him. No one desires you to regard consequences in that light. No one wishes anything to be strained, or too far pressed against the prisoner. Still, it is fit you should see the full importance of the duty which devolves upon you.

23. And now, Gentlemen, in examining this evidence, let us begin at the beginning, and see first what we know independent of the disputed testimony. This is a case of circumstantial evidence. And these circumstances, we think, are full and satisfactory. The case mainly depends upon them, and it is common that offenses of this kind must be proved in this way. Midnight assassins take no witnesses. The evidence of the facts relied on has been somewhat sneeringly denominated, by the learned counsel, "circumstantial stuff," but it is not such stuff as dreams are made of. Why does he not rend this stuff? Why does he not scatter it to the winds? He dismisses it a little too summarily. It shall be my business to examine this stuff, and try its cohesion.

24. The letter from Palmer at Belfast, is that no more than flimsy stuff? The fabricated letters from Knapp to the committee and to Mr. White, are they nothing but stuff? The circumstance, that the housekeeper was away at the time the murder was committed, as it was agreed she would be, is that, too, a useless piece of the same stuff? The facts, that the key of the chamber door was taken out and secreted, that the window was unbarred and unbolted, — are these to be so lightly and so easily disposed of?

25. It is necessary, Gentlemen, to settle now, at the commencement, the great question of a conspiracy. If there was none, or the defendant was not a party, then there is no

evidence here to convict him. If there was a conspiracy, and he is proved to have been a party, then these two facts have a strong bearing on others, and all the great points of inquiry. The defendant's counsel take no distinct ground, as I have already said, on this point, either to admit or to deny. They choose to confine themselves to a hypothetical mode of speech. They say, supposing there was a conspiracy, *non sequitur* that the prisoner is guilty as principal. Be it so. But still, if there was a conspiracy, and if he was a conspirator, and helped to plan the murder, this may shed much light on the evidence which goes to charge him with the execution of that plan. We mean to make out the conspiracy; and that the defendant was a party to it; and then to draw all just inferences from these facts.

26. Let me ask your attention, then, in the first place, to those appearances, on the morning after the murder, which have a tendency to show that it was done in pursuance of a preconcerted plan of operation. What are they? A man was found murdered in his bed. No stranger had done the deed, no one unacquainted with the house had done it. It was apparent that somebody within had opened, and that somebody without had entered. There had obviously and certainly been concert and coöperation. The inmates of the house were not alarmed when the murder was perpetrated. The assassin had entered without any riot or any violence. He had found the way prepared before him. The house had been previously opened. The window was unbarred from within, and its fastening unscrewed. There was a lock on the door of the chamber in which Mr. White slept, but the key was gone. It had been taken away and secreted. The footsteps of the murderer were visible, outdoors, tending toward the window. The plank by which he entered the window still remained. The road he pursued had been thus prepared for him. The victim was slain, and the murderer had escaped. Everything indicated that

somebody within had coöperated with somebody without. Everything proclaimed that some of the inmates, or somebody having access to the house, had had a hand in the murder. On the face of the circumstances, it was apparent, therefore, that this was a premeditated, concerted murder; that there had been a conspiracy to commit it. Who, then, were the conspirators? If not now found out, we are still groping in the dark, and the whole tragedy is still a mystery.

27. If the Knapps and the Crowninshields were not the conspirators in this murder, then there is a whole set of conspirators not yet discovered. Because, independent of the testimony of Palmer and Leighton, independent of all disputed evidence, we know, from uncontroverted facts, that this murder was, and must have been, the result of concert and coöperation between two or more. We know it was not done without plan and deliberation; we see that whoever entered the house, to strike the blow, was favored and aided by some one who had been previously in the house, without suspicion, and who had prepared the way. This is concert, this is coöperation, this is conspiracy. If the Knapps and the Crowninshields, then, were not the conspirators, who were? Joseph Knapp had a motive to desire the death of Mr. White, and that motive has been shown.

28. He was connected by marriage with the family of Mr. White. His wife was the daughter of Mrs. Beckford, who was the only child of a sister of the deceased. The deceased was more than eighty years old, and had no children. His only heirs were nephews and nieces. He was supposed to be possessed of a very large fortune, which would have descended, by law, to his several nephews and nieces in equal shares; or, if there was a will, then according to the will. But as he had but two branches of heirs, the children of his brother, Henry White, and of Mrs. Beckford, each of these branches, according to the common idea, would have shared one half of his property.

29. This popular idea is not legally correct. But it is common, and very probably was entertained by the parties. According to this idea, Mrs. Beckford, on Mr. White's death without a will, would have been entitled to one half of his ample fortune; and Joseph Knapp had married one of her three children. There was a will, and this will gave the bulk of the property to others; and we learn from Palmer that one part of the design was to destroy the will before the murder was committed. There had been a previous will, and that previous will was known or believed to have been more favorable than the other to the Beckford family. So that, by destroying the last will, and destroying the life of the testator at the same time, either the first and more favorable will would be set up, or the deceased would have no will, which would be, as was supposed, still more favorable. But the conspirators not having succeeded in obtaining and destroying the last will, though they accomplished the murder, that will being found in existence and safe, and that will bequeathing the mass of the property to others, it seemed at the time impossible for Joseph Knapp, as for any one else, indeed, but the principal devisee, to have any motive which should lead to the murder. The key which unlocks the whole mystery is the knowledge of the intention of the conspirators to steal the will. This is derived from Palmer, and it explains all. It solves the whole marvel. It shows the motive which actuated those against whom there is much evidence, but who, without the knowledge of this intention, were not seen to have had a motive. This intention is proved, as I have said, by Palmer; and it is so congruous with all the rest of the case, it agrees so well with all facts and circumstances, that no man could well withhold his belief, though the facts were stated by a still less credible witness. If one desirous of opening a lock turns over and tries a bunch of keys till he finds one that will open it, he naturally supposes he has found *the* key of *that* lock. So, in explaining circumstances of evidence which are

apparently irreconcilable or unaccountable, if a fact be suggested which at once accounts for all, and reconciles all, by whomsoever it may be stated, it is still difficult not to believe that such fact is the true fact belonging to the case. In this respect, Palmer's testimony is singularly confirmed. If it were false, his ingenuity could not furnish us such clear exposition of strange-appearing circumstances. Some truth not before known can alone do that.

30. When we look back, then, to the state of things immediately on the discovery of the murder, we see that suspicion would naturally turn at once, not to the heirs at law, but to those principally benefited by the will. They, and they alone, would be supposed or seem to have a direct object for wishing Mr. White's life to be terminated. And, strange as it may seem, we find counsel now insisting that, if no apology, it is yet mitigation of the atrocity of the Knapps' conduct in attempting to charge this foul murder on Mr. White, the nephew and principal devisee, that public suspicion was already so directed! As if assassination of character were excusable in proportion as circumstances may render it easy. Their endeavors, when they knew they were suspected themselves, to fix the charge on others, by foul means and by falsehood, are fair and strong proof of their own guilt. But more of that hereafter.

31. The counsel say that they might safely admit that Richard Crowninshield, Jr., was the perpetrator of this murder. But how could they safely admit that? If that were admitted, everything else would follow. For why should Richard Crowninshield, Jr., kill Mr. White? He was not his heir, nor his devisee; nor was he his enemy. What could be his motive? If Richard Crowninshield, Jr., killed Mr. White, he did it at some one's procurement who himself had a motive. And who, having any motive, is shown to have had any intercourse with Richard Crowninshield, Jr., but Joseph Knapp, and this principally through the agency of the prisoner at the bar?

It is the infirmity, the distressing difficulty of the prisoner's case, that his counsel cannot and dare not admit what they yet cannot disprove, and what all must believe. He who believes, on this evidence, that Richard Crowninshield, Jr., was the immediate murderer, cannot doubt that both the Knapps were conspirators in that murder. The counsel, therefore, are wrong, I think, in saying they might safely admit this. The admission of so important and so connected a fact would render it impossible to contend further against the proof of the entire conspiracy, as we state it.

32. What, then, was this conspiracy? Joseph Knapp, desirous of destroying the will, and of taking the life of the deceased, hired a ruffian, who, with the aid of other ruffians, was to enter the house and murder him in his bed.

33. As far back as January this conspiracy began. Endicott testifies to a conversation with Joseph Knapp at that time, in which Knapp told him that Captain White had made a will, and given the principal part of his property to Stephen White. When asked how he knew, he said, "Black and white don't lie." When asked if the will was not locked up, he said, "There is such a thing as two keys to the same lock." And speaking of the then late illness of Captain White, he said that Stephen White would not have been sent for if *he* had been there.

34. Hence it appears that as early as January Knapp had a knowledge of the will, and that he had access to it by means of false keys. This knowledge of the will, and an intent to destroy it, appear also from Palmer's testimony, a fact disclosed to him by the other conspirators. He says that he was informed of this by the Crowninshields on the 2d of April. But then it is said that Palmer is not to be credited; that by his own confession he is a felon; that he has been in the State prison in Maine; and, above all, that he was intimately associated with these conspirators themselves. Let us admit

these facts. Let us admit him to be as bad as they would represent him to be; still, in law, he is a competent witness. How else are the secret designs of the wicked to be proved, but by their wicked companions, to whom they have disclosed them? The government does not select its witnesses. The conspirators themselves have chosen Palmer. He was the confidant of the prisoners. The fact, however, does not depend on his testimony alone. It is corroborated by other proof; and, taken in connection with the other circumstances, it has strong probability. In regard to the testimony of Palmer, generally, it may be said that it is less contradicted, in all parts of it, either by himself or others, than that of any other material witness, and that everything he has told is corroborated by other evidence, so far as it is susceptible of confirmation. An attempt has been made to impair his testimony, as to his being at the Halfway House on the night of the murder; you have seen with what success. Mr. Babb is called to contradict him. You have seen how little he knows, and even that not certainly; for he himself is proved to have been in an error by supposing Palmer to have been at the Halfway House on the evening of the 9th of April. At that time he is proved to have been at Dustin's in Danvers. If, then, Palmer, bad as he is, has disclosed the secrets of the conspiracy, and has told the truth, there is no reason why it should not be believed. Truth is truth, come whence it may.

35. The facts show that this murder had been long in agitation; that it was not a new proposition on the 2d of April; that it had been contemplated for five or six weeks. Richard Crowninshield was at Wenham in the latter part of March, as testified by Starrett. Frank Knapp was at Danvers in the latter part of February, as testified by Allen. Richard Crowninshield inquired whether Captain Knapp was about home, when at Wenham. The probability is, that they would open the case to Palmer as a new project. There are other circumstances

that show it to have been some weeks in agitation. Palmer's testimony as to the transaction on the 2d of April is corroborated by Allen, and by Osborn's books. He says that Frank Knapp came there in the afternoon, and again in the evening. So the book shows. He says that Captain White had gone out to his farm on that day. So others prove. How could this fact, or these facts, have been known to Palmer, unless Frank Knapp had brought the knowledge? And was it not the special object of this visit to give information of this fact, that they might meet him and execute their purpose on his return from his farm? The letter of Palmer, written at Belfast, bears intrinsic marks of genuineness. It was mailed at Belfast, May 13th. It states facts that he could not have known, unless his testimony be true. This letter was not an after-thought; it is a genuine narrative. In fact, it says, "I know the business your brother Frank was transacting on the 2d of April." How could he have possibly known this, unless he had been there? The "one thousand dollars that was to be paid," — where could he have obtained this knowledge? The testimony of Endicott, of Palmer, and these facts, are to be taken together; and they most clearly show that the death of Captain White was caused by somebody interested in putting an end to his life.

36. As to the testimony of Leighton, as far as manner of testifying goes, he is a bad witness; but it does not follow from this that he is not to be believed. There are some strange things about him. It is strange that he should make up a story against Captain Knapp, the person with whom he lived; that he never voluntarily told anything: all that he has said was screwed out of him. But the story could not have been invented by him; his character for truth is unimpeached; and he intimated to another witness, soon after the murder happened, that he knew something he should not tell. There is not the least contradiction in his testimony, though he gives a poor account of withholding it. He says that he was extremely

bothered by those who questioned him. In the main story that he relates, he is entirely consistent with himself. Some things are for him, and some against him. Examine the intrinsic probability of what he says. See if some allowance is not to be made for him on account of his ignorance of things of this kind. It is said to be extraordinary that he should have heard just so much of the conversation, and no more; that he should have heard just what was necessary to be proved, and nothing else. Admit that this is extraordinary; still, this does not prove it untrue. It is extraordinary that you twelve gentlemen should be called upon, out of all the men in the county, to decide this case; no one could have foretold this three weeks since. It is extraordinary that the first clew to this conspiracy should have been derived from information given by the father of the prisoner at bar. And in every case that comes to trial there are many things extraordinary. The murder itself is a most extraordinary one; but still we do not doubt its reality.

37. It is argued that this conversation between Joseph and Frank could not have been as Leighton has testified, because they had been together for several hours before; this subject must have been uppermost in their minds, whereas this appears to have been the commencement of their conversation upon it. Now this depends altogether upon the tone and manner of the expression; upon the particular word in the sentence which was emphatically spoken. If he had said, "When did you *see* Dick, Frank?" this would not seem to be the beginning of the conversation. With what emphasis it was uttered, it is not possible to learn; and therefore nothing can be made of this argument. If this boy's testimony stood alone, it should be received with caution. And the same may be said of the testimony of Palmer. But they do not stand alone. They furnish a clew to numerous other circumstances, which, when known, mutually confirm what would have been received with caution

without such corroboration. How could Leighton have made up this conversation? "When did you see Dick?" "I saw him this morning." "When is he going to kill the old man?" "I don't know." "Tell him, if he don't do it soon, I won't pay him." Here is a vast amount in few words. Had he wit enough to invent this? There is nothing so powerful as truth; and often nothing so strange. It is not even suggested that the story was made for him. There is nothing so extraordinary in the whole matter as it would have been for this ignorant country boy to invent this story.

38. The acts of the parties themselves furnish strong presumption of their guilt. What was done on the receipt of the letter from Maine? This letter was signed by Charles Grant, Jr., a person not known to either of the Knapps, nor was it known to them that any other person beside the Crowninshields knew of the conspiracy. This letter fell into the hands of the father, when intended for the son. The father carried it to Wenham, where both the sons were. They both read it. Fix your eye steadily on this part of the *circumstantial stuff* which is in the case, and see what can be made of it. This was shown to the two brothers on Saturday, the 15th of May. Neither of them knew Palmer. And if they had known him, they could not have known him to have been the writer of this letter. It was mysterious to them how any one at Belfast could have had knowledge of this affair. Their conscious guilt prevented due circumspection. They did not see the bearing of its publication. They advised their father to carry it to the Committee of Vigilance, and it was so carried. On the Sunday following, Joseph began to think there might be something in it. Perhaps, in the meantime, he had seen one of the Crowninshields. He was apprehensive that they might be suspected; he was anxious to turn attention from their family. What course did he adopt to effect this? He addressed one letter, with a false name, to Mr. White, and another to the Committee;

and to complete the climax of his folly, he signed the letter addressed to the Committee, "Grant," the same name as that which was signed to the letter received from Belfast. It was in the knowledge of the Committee, that no person but the Knapps had seen this letter from Belfast; and that no other person knew its signature. It therefore must have been irresistibly plain to them that one of the Knapps was the writer of the letter received by the Committee, charging the murder on Mr. White. Add to this the fact of its having been dated at Lynn, and mailed at Salem four days after it was dated, and who could doubt respecting it? Have you ever known or read of folly equal to this? Can you conceive of crime more odious and abominable? Merely to explain the apparent mysteries of the letter from Palmer, they excite the basest suspicions against a man, whom, if they were innocent, they had no reason to believe guilty; and whom, if they were guilty, they most certainly knew to be innocent. Could they have adopted a more direct method of exposing their own infamy? The letter to the Committee has intrinsic marks of a knowledge of this transaction. It tells the *time* and the *manner* in which the murder was committed. Every line speaks the writer's condemnation. In attempting to divert attention from his family, and to charge the guilt upon another, he indelibly fixes it upon himself.

39. Joseph Knapp requested Allen to put these letters into the post office, because, said he, "I wish to nip this silly affair in the bud." If this were not the order of an overruling Providence, I should say that it was the silliest piece of folly that was ever practiced. Mark the destiny of crime. It is ever obliged to resort to such subterfuges; it trembles in the broad light; it betrays itself in seeking concealment. He alone walks safely who walks uprightly. Who for a moment can read these letters and doubt of Joseph Knapp's guilt? The constitution of nature is made to inform against him. There is no corner dark enough to conceal him. There is no turnpike road broad enough

or smooth enough for a man so guilty to walk in without stumbling. Every step proclaims his secret to every passenger. His own acts come out to fix his guilt. In attempting to charge another with his own crime, he writes his own confession. To do away the effect of Palmer's letter, signed Grant, he writes a letter himself and affixes to it the name of Grant. He writes in a disguised hand; but how could it happen that the same Grant should be in Salem that was at Belfast? This has brought the whole thing out. Evidently he did it, because he has adopted the same style. Evidently he did it, because he speaks of the price of blood, and of other circumstances connected with the murder, that no one but a conspirator could have known.

40. Palmer says he made a visit to the Crowninshields on the 9th of April. George then asked him whether he had heard of the murder. Richard inquired whether he had heard the music at Salem. They said that they were suspected; that a committee had been appointed to search houses; and that they had melted up the dagger the day after the murder, because it would be a suspicious circumstance to have it found in their possession. Now this committee was not appointed, in fact, until Friday evening. But this proves nothing against Palmer; it does not prove that George did not tell him so; it only proves that he gave a false reason for a fact. They had heard that they were suspected; how could they have heard this, unless it were from the whisperings of their own consciences? Surely this rumor was not then public.

41. About the 27th of April, another attempt was made by the Knapps to give a direction to public suspicion. They reported themselves to have been robbed, in passing from Salem to Wenham, near Wenham Pond. They came to Salem and stated the particulars of the adventure. They described persons, their dress, size, and appearance, who had been suspected of the murder. They would have it understood that the community

was infested by a band of ruffians, and that they themselves were the particular objects of their vengeance. Now this turns out to be all fictitious, all false. Can you conceive of anything more enormous, any wickedness greater, than the circulation of such reports? than the allegation of crimes, if committed, capital? If no such crime had been committed, then it reacts with double force upon themselves, and goes very far to show their guilt. How did they conduct themselves on this occasion? Did they make hue and cry? Did they give information that they had been assaulted that night at Wenham? No such thing. They rested quietly that night; they waited to be called on for the particulars of their adventure; they made no attempt to arrest the offenders; this was not their object. They were content to fill the thousand mouths of rumor, to spread abroad false reports, to divert the attention of the public from themselves; for they thought every man suspected them, because they knew they ought to be suspected.

42. The manner in which the compensation for this murder was paid is a circumstance worthy of consideration. By examining the facts and dates, it will satisfactorily appear that Joseph Knapp paid a sum of money to Richard Crowninshield, in five-franc pieces, on the 24th of April. On the 21st of April, Joseph Knapp received five hundred five-franc pieces as the proceeds of an adventure at sea. The remainder of this species of currency that came home in the vessel was deposited in a bank at Salem. On Saturday, the 24th of April, Frank and Richard rode to Wenham. They were there with Joseph an hour or more, and appeared to be negotiating private business. Richard continued in the chaise; Joseph came to the chaise and conversed with him. These facts are proved by Hart and Leighton, and by Osborn's books. On Saturday evening, about this time, Richard Crowninshield is proved, by Lummus, to have been at Wenham, with another person whose appearance corresponds with Frank's. Can any one doubt this being the same

evening? What had Richard Crowninshield to do at Wenham, with Joseph, unless it were this business? He was there before the murder; he was there after the murder; he was there clandestinely, unwilling to be seen. If it were not upon this business, let it be told what it was for. Joseph Knapp could explain it; Frank Knapp might explain it. But they do not explain it; and the inference is against them.

43. Immediately after this, Richard passes five-franc pieces; on the same evening, one to Lummus, five to Palmer; and near this time George passes three or four in Salem. Here are nine of these pieces passed by them in four days; this is extraordinary. It is an unusual currency; in ordinary business, few men would pass nine such pieces in the course of a year. If they were not received in this way, why not explain how they came by them? Money was not so flush in their pockets that they could not tell whence it came, if it honestly came there. It is extremely important to them to explain whence this money came, and they would do it if they could. If, then, the price of blood was paid at this time, in the presence and with the knowledge of this defendant, does not this prove him to have been connected with this conspiracy?

44. Observe, also, the effect on the mind of Richard of Palmer's being arrested and committed to prison; the various efforts he makes to discover the fact; the lowering, through the crevices of the rock, the pencil and paper for him to write upon; the sending two lines of poetry, with the request that he would return the corresponding lines; the shrill and peculiar whistle; the inimitable exclamations of "Palmer! Palmer! Palmer!" All these things prove how great was his alarm; they corroborate Palmer's story, and tend to establish the conspiracy.

45. Joseph Knapp had a part to act in this matter. He must have opened the window, and secreted the key; he had free access to every part of the house; he was accustomed to

visit there; he went in and out at his pleasure; he could do this without being suspected. He is proved to have been there the Saturday preceding.

46. If all these things, taken in connection, do not prove that Captain White was murdered in pursuance of a conspiracy, then the case is at an end.

47. Savary's testimony is wholly unexpected. He was called for a different purpose. When asked who the person was that he saw come out of Captain White's yard between three and four o'clock in the morning, he answered, Frank Knapp. It is not clear that this is not true. There may be many circumstances of importance connected with this, though we believe the murder to have been committed between ten and eleven o'clock. The letter to Dr. Barstow states it to have been done about eleven o'clock; it states it to have been done with a blow on the head, from a weapon loaded with lead. Here is too great a correspondence with the reality not to have some meaning in it. Dr. Pierson was always of the opinion that the two classes of wounds were made with different instruments, and by different hands. It is possible that one class was inflicted at one time, and the other at another. It is possible that on the last visit the pulse might not have entirely ceased to beat, and then the finishing stroke was given. It is said that when the body was discovered, some of the wounds wept, while the others did not. They may have been inflicted from mere wantonness. It was known that Captain White was accustomed to keep specie by him in his chamber; this perhaps may explain the last visit. It is proved that this defendant was in the habit of retiring to bed, and leaving it afterwards, without the knowledge of his family; perhaps he did so on this occasion. We see no reason to doubt the fact; and it does not shake our belief that the murder was committed early in the night.

48. What are the probabilities as to the time of the murder? Mr. White was an aged man; he usually retired to bed at about

half-past nine. He slept soundest in the early part of the night; usually awoke in the middle and latter part; and his habits were perfectly well known. When would persons, with a knowledge of these facts, be most likely to approach him? Most certainly, in the first hour of his sleep. This would be the safest time. If seen then going to and from the house, the appearance would be least suspicious. The earlier hour would then have been most probably selected.

49. Gentlemen, I shall dwell no longer on the evidence which tends to prove that there was a conspiracy, and that the prisoner was a conspirator. All the circumstances concur to make out this point. Not only Palmer swears to it, in effect, and Leighton, but Allen mainly supports Palmer, and Osborn's books lend confirmation, so far as possible, from such a source. Palmer is contradicted in nothing, either by any other witness, or any proved circumstance or occurrence. Whatever could be expected to support him does support him. All the evidence clearly manifests, I think, that there was a conspiracy; that it originated with Joseph Knapp; that defendant became a party to it, and was one of its conductors, from first to last. One of the most powerful circumstances is Palmer's letter from Belfast. The amount of this is a direct charge on the Knapps of the authorship of this murder. How did they treat this charge; like honest men, or like guilty men? We have seen how it was treated. Joseph Knapp fabricated letters, charging another person, and caused them to be put into the post office.

50. I shall now proceed on the supposition that it is proved that there was a conspiracy to murder Mr. White, and that the prisoner was party to it.

51. The second and the material inquiry is, Was the prisoner present at the murder, aiding and abetting therein?

52. This leads to the legal question in the case. What does the law mean when it says that, in order to charge him as a principal, "he must be present aiding and abetting in the murder"?

53. In the language of the late Chief Justice, "It is not required that the abettor shall be actually upon the spot when the murder is committed, or even in sight of the more immediate perpetrator or of the victim, to make him a principal. If he be at a distance, coöperating in the act, by watching to prevent relief, or to give an alarm, or to assist his confederate in escape, having knowledge of the purpose and object of the assassin, this in the eye of the law is being present, aiding and abetting, so as to make him a principal in the murder."

54. "If he be at a distance coöperating." This is not a distance to be measured by feet or rods; if the intent to lend aid combine with a knowledge that the murder is to be committed, and the person so intending be so situate that he can by any possibility lend this aid in any manner, then he is present in legal contemplation. He need not lend any actual aid; to be ready to assist is assisting.

55. There are two sorts of murder; the distinction between them it is of essential importance to bear in mind: 1. Murder in an affray, or upon sudden and unexpected provocation. 2. Murder secretly, with a deliberate, predetermined intention to commit the crime. Under the first class, the question usually is, whether the offense be murder or manslaughter, in the person who commits the deed. Under the second class, it is often a question whether others than he who actually did the deed were present, aiding and assisting therein. Offenses of this kind ordinarily happen when there is nobody present except those who go on the same design. If a riot should happen in the courthouse, and one should kill another, this may be murder, or it may not, according to the intention with which it was done; which is always matter of fact, to be collected from the circumstances at the time. But in secret murders, premeditated and determined on, there can be no doubt of the murderous intention; there can be no doubt, if a person be present, knowing a murder is to be done, of his concurring in

the act. His being there is a proof of his intent to aid and abet; else, why is he there?

56. It has been contended that proof must be given that the person accused did actually afford aid, did lend a hand in the murder itself; and without this proof, although he may be near by, he may be presumed to be there for an innocent purpose; he may have crept silently there to hear the news, or from mere curiosity to see what was going on. Preposterous, absurd! Such an idea shocks all common sense. A man is found to be a conspirator to commit a murder; he has planned it; he has assisted in arranging the time, the place, and the means; and he is found in the place, and at the time, and yet it is suggested that he might have been there, not for coöperation and concurrence, but from curiosity! Such an argument deserves no answer. It would be difficult to give it one, in decorous terms. It is not to be taken for granted that a man seeks to accomplish his own purposes? When he has planned a murder, and is present at its execution, is he there to forward or to thwart his own design? is he there to assist, or there to prevent? But "curiosity"! He may be there from mere "curiosity"! Curiosity to witness the success of the execution of his own plan of murder! The very walls of a courthouse ought not to stand, the plowshare should run through the ground it stands on, where such an argument could find toleration.

57. It is not necessary that the abettor should actually lend a hand, that he should take a part in the act itself; if he be present ready to assist, that is assisting. Some of the doctrines advanced would acquit the defendant, though he had gone to the bedchamber of the deceased, though he had been standing by when the assassin gave the blow. This is the argument we have heard to-day.

58. No doubt the law is, that being ready to assist is assisting, if the party has the power to assist, in case of need. It is so stated by Foster, who is a high authority. [Reading the law

from the authority cited.] The law does not say where the person is to go, or how near he is to go, but that he must be where he may give assistance, or where the perpetrator may believe that he may be assisted by him. Suppose that he is acquainted with the design of the murderer, and has a knowledge of the time when it is to be carried into effect, and goes out with a view to render assistance, if need be; why, then, even though the murderer does not know of this, the person so going out will be an abettor in the murder.

59. It is contended that the prisoner at the bar could not be a principal, he being in Brown Street, because he could not there render assistance; and you are called upon to determine this case, according as you may be of opinion whether Brown Street was, or was not, a suitable, convenient, well-chosen place to aid in this murder. This is not the true question. The inquiry is not whether you would have selected this place in preference to all others, or whether you would have selected it at all. If the parties chose it, why should we doubt about it? How do we know the use they intended to make of it, or the kind of aid that he was to afford by being there? The question for you to consider is, Did the defendant go into Brown Street in aid of this murder? Did he go there by agreement, by appointment with the perpetrator? If so, everything else follows. The main thing, indeed the only thing, is to inquire whether he was in Brown Street by appointment with Richard Crowninshield. It might be to keep general watch; to observe the lights, and advise as to time of access; to meet the murderer on his return, to advise him as to his escape; to examine his clothes, to see if any marks of blood were upon them; to furnish exchange of clothes, or new disguise, if necessary; to tell him through what streets he could safely retreat, or whether he could deposit the club in the place designed; or it might be without any distinct object, but merely to afford that encouragement which would proceed from Richard Crowninshield's

consciousness that he was near. It is of no consequence whether, in your opinion, the place was well chosen or not, to afford aid; if it was so chosen, if it was by appointment that he was there, it is enough. Suppose Richard Crowninshield, when applied to to commit the murder, had said, "I won't do it unless there can be some one near by to favor my escape; I won't go unless you will stay in Brown Street." Upon the gentleman's argument, he would not be an aider and abettor in the murder, because the place was not well chosen; though it is apparent that the being in the place chosen was a condition, without which the murder would never have happened.

60. You are to consider the defendant as one in the league, in the combination to commit the murder. If he was there by appointment with the perpetrator, he is an abettor. The concurrence of the perpetrator in his being there is proved by the previous evidence of the conspiracy. If Richard Crowninshield, for any purpose whatsoever, made it a condition of the agreement that Frank Knapp should stand as backer, then Frank Knapp was an aider and abettor; no matter what the aid was, or what sort it was, or degree, be it ever so little; even if it were to judge of the hour when it was best to go, or to see when the lights were extinguished, or to give an alarm if any one approached. Who better calculated to judge of these things than the murderer himself? and if he so determined them, that is sufficient.

61. Now as to the facts. Frank Knapp knew that the murder was that night to be committed; he was one of the conspirators, he knew the object, he knew the time. He had that day been to Wenham to see Joseph, and probably to Danvers to see Richard Crowninshield, for he kept his motions secret. He had that day hired a horse and chaise of Osborn, and attempted to conceal the purpose for which it was used; he had intentionally left the *place* and the *price* blank on Osborn's

books. He went to Wenham by the way of Danvers; he had been told the week before to hasten Dick; he had seen the Crowninshields several times within a few days; he had a saddle horse the Saturday night before; he had seen Mrs. Beckford at Wenham, and knew she would not return that night. She had not been away before for six weeks, and probably would not soon be again. He had just come from Wenham. Every day, for the week previous, he had visited one or another of these conspirators, save Sunday, and then probably he saw them in town. When he saw Joseph on the 6th, Joseph had prepared the house, and would naturally tell him of it; there were constant communications between them; daily and nightly visitation; too much knowledge of these parties and this transaction to leave a particle of doubt on the mind of any one that Frank Knapp knew the murder was to be committed this night. The hour was come, and he knew it; if so, and he was in Brown Street, without explaining why he was there, can the jury for a moment doubt whether he was there to countenance, aid, or support; or for curiosity alone; or to learn how the wages of sin and death were earned by the perpetrator?

62. The perpetrator would derive courage, and strength, and confidence, from the knowledge that one of his associates was near by. If he was in Brown Street, he could have been there for no other purpose. If there for this purpose, then he was, in the language of the law, *present*, aiding and abetting in the murder.

63. His interest lay in being somewhere else. If he had nothing to do with the murder, no part to act, why not stay at home? Why should he jeopard his own life, if it was not agreed that he should be there? He would not voluntarily go where the very place would cause him to swing if detected. He would not voluntarily assume the place of danger. His taking this place proves that he went to give aid. His staying

away would have made an *alibi*. If he had nothing to do with the murder, he would be at home, where he could prove his *alibi*. He knew he was in danger, because he was guilty of the conspiracy, and, if he had nothing to do, would not expose himself to suspicion or detection.

64. Did the prisoner at the bar countenance this murder? Did he concur, or did he non-concur, in what the perpetrator was about to do? Would he have tried to shield him? Would he have furnished his cloak for protection? Would he have pointed out a safe way of retreat? As you would answer these questions, so you should answer the general question, whether he was there consenting to the murder, or whether he was there as a spectator only.

65. One word more on this presence, called constructive presence. What aid is to be rendered? Where is the line to be drawn between acting and omitting to act? Suppose he had been in the house, suppose he had followed the perpetrator to the chamber, what could he have done? This was to be a murder by stealth; it was to be a secret assassination. It was not their purpose to have an open combat; they were to approach their victim unawares, and silently give the fatal blow. But if he had been in the chamber, no one can doubt that he would have been an abettor; because of his presence, and ability to render services, if needed. What service could he have rendered, if there? Could he have helped him to fly? Could he have aided the silence of his movements? Could he have facilitated his retreat, on the first alarm? Surely, this was a case where there was more of safety in going alone than with another; where company would only embarrass. Richard Crowninshield would prefer to go alone. He knew his errand too well. His nerves needed no collateral support. He was not the man to take with him a trembling companion. He would prefer to have his aid at a distance. He would not wish to be encumbered by his presence. He

would prefer to have him out of the house. He would prefer that he should be in Brown Street. But whether in the chamber, in the house, in the garden, or in the street, whatsoever is aiding in *actual presence* is aiding in *constructive presence;* anything that is aid in one case is aid in the other.

66. If, then, the aid be anywhere, so as to embolden the perpetrator, to afford him hope or confidence in his enterprise, it is the same as though the person stood at his elbow with his sword drawn. His being there ready to act, with the power to act, is what makes him an abettor.

67. What are the *facts* in relation to this presence? Frank Knapp is proved to have been a conspirator, proved to have known that the deed was now to be done. Is it not probable that he was in Brown Street to concur in the murder? There were four conspirators. It was natural that some one of them should go with the perpetrator. Richard Crowninshield was to be the perpetrator; he was to give the blow. There is no evidence of any casting of the parts for the others. The defendant would probably be the man to take the second part. He was fond of exploits, he was accustomed to the use of sword canes and dirks. If any aid was required, he was the man to give it. At least, there is no evidence to the contrary of this.

68. Aid could not have been received from Joseph Knapp, or from George Crowninshield. Joseph Knapp was at Wenham, and took good care to prove that he was there. George Crowninshield has proved satisfactorily where he was; that he was in other company, such as it was, until eleven o'clock. This narrows the inquiry. This demands of the prisoner to show, if he was not in this place, where he was. It calls on him loudly to show this, and to show it truly. If he could show it, he would do it. If he does not tell, and that truly, it is against him. The defense of an *alibi* is a double-edged sword. He knew that he was in a situation where he might be called upon to account for himself. If he had had no particular

appointment or business to attend to, he would have taken care to be able so to account. He would have been out of town, or in some good company. Has he accounted for himself on that night to your satisfaction?

69. The prisoner has attempted to prove an *alibi* in two ways. In the first place, by four young men with whom he says he was in company, on the evening of the murder, from seven o'clock till near ten o'clock. This depends upon the certainty of the night. In the second place, by his family, from ten o'clock afterwards. This depends upon the certainty of the time of the night. These two classes of proof have no connection with each other. One may be true, and the other false; or they may both be true, or both be false. I shall examine this testimony with some attention, because, on a former trial, it made more impression on the minds of the court than on my own mind. I think, when carefully sifted and compared, it will be found to have in it more of plausibility than reality.

70. Mr. Page testifies that on the evening of the 6th of April he was in company with Burchmore, Balch, and Forrester, and that he met the defendant about seven o'clock, near the Salem Hotel; that he afterwards met him at Remond's, about nine o'clock, and that he was in company with him a considerable part of the evening. This young gentleman is a member of college, and says that he came to town the Saturday evening previous; that he is now able to say that it was the night of the murder when he walked with Frank Knapp, from the recollection of the fact, that he called himself to an account, on the morning after the murder, as it is natural for men to do when an extraordinary occurrence happens. Gentlemen, this kind of evidence is not satisfactory; general impressions as to time are not to be relied on. If I were called on to state the particular day on which any witness testified in this cause, I could not do it. Every man will notice the same thing in his own

mind. There is no one of these young men that could give an account of himself for any *other* day in the month of April. They are made to remember the fact, and then they think they remember the time. The witness has no means of knowing it was Tuesday rather than any other time. He did not know it at first; he could not know it afterwards. He says he called himself to an account. This has no more to do with the murder than with the man in the moon. Such testimony is not worthy to be relied on in any forty-shilling cause. What occasion had he to call himself to an account? Did he suppose that he should be suspected? Had he any intimation of this conspiracy?

71. Suppose, Gentlemen, you were either of you asked where you were, or what you were doing, on the fifteenth day of June; you could not answer this question without calling to mind some events to make it certain. Just as well may you remember on what you dined each day of the year past. Time is identical. Its subdivisions are all alike. No man knows one day from another, or one hour from another, but by some fact connected with it. Days and hours are not visible to the senses, nor to be apprehended and distinguished by the understanding. The flow of time is known only by something which marks it; and he who speaks of the date of occurrences with nothing to guide his recollection speaks at random, and is not to be relied on. This young gentleman remembers the facts and occurrences; he knows nothing why they should not have happened on the evening of the 6th; but he knows no more. All the rest is evidently conjecture or impression.

72. Mr. White informs you that he told him he could not tell what night it was. The first thoughts are all that are valuable in such case. They miss the mark by taking second aim. Mr. Balch believes, but is not sure, that he was with Frank Knapp on the evening of the murder. He has given

different accounts of the time. He has no means of making it certain. All he knows is, that it was some evening before Fast-day. But whether Monday, Tuesday, or Saturday, he cannot tell. Mr. Burchmore says, to the best of his belief, it was the evening of the murder. Afterwards he attempts to speak positively, from recollecting that he mentioned the circumstance to William Pierce, as he went to the Mineral Spring on Fast-day. Last Monday morning he told Colonel Putnam he could not fix the time. This witness stands in a much worse plight than either of the others. It is difficult to reconcile all he has said with any belief in the accuracy of his recollections. Mr. Forrester does not speak with any certainty as to the night; and it is very certain that he told Mr. Loring and others that he did not know what night it was.

73. Now, what does the testimony of these four young men amount to? The only circumstance by which they approximate to an identifying of the night is, that three of them say it was cloudy; they think their walk was either on Monday or Tuesday evening, and it is admitted that Monday evening was clear, whence they draw the inference that it must have been Tuesday.

74. But, fortunately, there is one *fact* disclosed in their testimony that settles the question. Balch says, that on the evening, whenever it was, he saw the prisoner; the prisoner told him he was going out of town on horseback, for a distance of about twenty minutes' drive, and that he was going to get a horse at Osborn's. This was about seven o'clock. At about nine, Balch says he saw the prisoner again, and was then told by him that he had had his ride, and had returned. Now it appears by Osborn's books, that the prisoner had a saddle-horse from his stable, not on Tuesday evening, the night of the murder, but on the Saturday evening previous. This fixes the time about which these young men testify, and is a complete answer and refutation of the attempted *alibi* on Tuesday evening.

75. I come now to speak of the testimony adduced by the defendant to explain where he was after ten o'clock on the night of the murder. This comes chiefly from members of the family; from his father and brothers.

76. It is agreed that the affidavit of the prisoner should be received as evidence of what his brother, Samuel H. Knapp, would testify if present. Samuel H. Knapp says, that, about ten minutes past ten o'clock, his brother, Frank Knapp, on his way to bed, opened his chamber door, made some remarks, closed the door, and went to his chamber; and that he did not hear him leave it afterwards. How is this witness able to fix the time at ten minutes past ten? There is no circumstance mentioned by which he fixes it. He had been in bed, probably asleep, and was aroused from his sleep by the opening of the door. Was he in a situation to speak of time with precision? Could he know, under such circumstances, whether it was ten minutes past ten, or ten minutes before eleven, when his brother spoke to him? What would be the natural result in such a case? But we are not left to conjecture this result. We have positive testimony on this point. Mr. Webb tells you that Samuel told him, on the 8th of June, "that he did not know what time his brother Frank came home, and that he was not at home when *he* went to bed." You will consider this testimony of Mr. Webb as indorsed upon this affidavit; and with this indorsement upon it, you will give it its due weight. This statement was made to him after Frank was arrested.

77. I come to the testimony of the father. I find myself incapable of speaking of him or his testimony with severity. Unfortunate old man! Another Lear, in the conduct of his children; another Lear, I apprehend, in the effect of his distress upon his mind and understanding. He is brought here to testify, under circumstances that disarm severity, and call loudly for sympathy. Though it is impossible not to see that his story cannot be credited, yet I am unable to speak of him

otherwise than in sorrow and grief. Unhappy father! he strives to remember, perhaps persuades himself that he does remember, that on the evening of the murder he was himself at home at ten o'clock. He thinks, or seems to think, that his son came in at about five minutes past ten. He fancies that he remembers his conversation; he thinks he spoke of bolting the door; he thinks he asked the time of night; he seems to remember his then going to his bed. Alas! these are but the swimming fancies of an agitated and distressed mind. Alas! they are but the dreams of hope, its uncertain lights, flickering on the thick darkness of parental distress. Alas! the miserable father knows nothing, in reality, of all these things.

78. Mr. Shepard says that the first conversation he had with Mr. Knapp was soon after the murder, and *before* the arrest of his sons. Mr. Knapp says it was *after* the arrest of his sons. His own fears led him to say to Mr. Shepard that his "son Frank was at home that night; and so Phippen told him," or "as Phippen told him." Mr. Shepard says that he was struck with the remark at the time; that it made an unfavorable impression on his mind; he does not tell you what that impression was, but when you connect it with the previous inquiry he had made, whether Frank had continued to associate with the Crowninshields, and recollect that the Crowninshields were then known to be suspected of this crime, can you doubt what this impression was? can you doubt as to the fears he then had?

79. This poor old man tells you that he was greatly perplexed at the time; that he found himself in embarrassed circumstances; that on this very night he was engaged in making an assignment of his property to his friend, Mr. Shepard. If ever charity should furnish a mantle for error, it should be here. Imagination cannot picture a more deplorable, distressed condition.

80. The same general remarks may be applied to his conversation with Mr. Treadwell as have been made upon that with

Mr. Shepard. He told him that he believed Frank was at home about the usual time. In his conversations with either of these persons, he did not pretend to know, of his own knowledge, the time that he came home. He now tells you positively that he recollects the time, and that he so told Mr. Shepard. He is directly contradicted by both these witnesses, as respectable men as Salem affords.

81. This idea of an *alibi* is of recent origin. Would Samuel Knapp have gone to sea if it were then thought of? His testimony, if true, was too important to be lost. If there be any truth in this part of the *alibi*, it is so near in point of time that it cannot be relied on. The mere variation of half an hour would avoid it. The mere variations of different timepieces would explain it.

82. Has the defendant proved where he was on that night? If you doubt about it, there is an end of it. The burden is upon him to satisfy you beyond all reasonable doubt. Osborn's books, in connection with what the young men state, are conclusive, I think, on this point. He has not, then, accounted for himself; he has attempted it, and has failed. I pray you to remember, Gentlemen, that this is a case in which the prisoner would, more than any other, be rationally able to account for himself on the night of the murder, if he could do so. He was in the conspiracy, he knew the murder was then to be committed, and if he himself was to have no hand in its actual execution, he would of course, as a matter of safety and precaution, be somewhere else, and be able to prove afterwards that he had been somewhere else. Having this motive to prove himself elsewhere, and the power to do it if he were elsewhere, his failing in such proof must necessarily leave a very strong inference against him.

83. But, Gentlemen, let us now consider what is the evidence produced on the part of the government to prove that Frank Knapp, the prisoner at the bar, was in Brown Street on

the night of the murder. This is a point of vital importance in this cause. Unless this be made out, beyond reasonable doubt, the law of *presence* does not apply to the case. The government undertakes to prove that he was present aiding in the murder, by proving that he was in Brown Street for this purpose. Now, what are the undoubted facts? They are, that two persons were seen in that street, several times during that evening, under suspicious circumstances; under such circumstances as induced those who saw them to watch their movements. Of this there can be no doubt. Mirick saw a man standing at the post opposite his store from fifteen minutes before nine until twenty minutes after, dressed in a full frock-coat, glazed cap, and so forth, in size and general appearance answering to the prisoner at the bar. This person was waiting there; and whenever any one approached him, he moved to and from the corner, as though he would avoid being suspected or recognized. Afterwards, two persons were seen by Webster, walking in Howard Street, with a slow, deliberate movement that attracted his attention. This was about half-past nine. One of these he took to be the prisoner at the bar, the other he did not know.

84. About half-past ten a person is seen sitting on the rope-walk steps, wrapped in a cloak. He drops his head when passed, to avoid being known. Shortly after, two persons are seen to meet in this street, without ceremony or salutation, and in a hurried manner to converse for a short time; then to separate, and run off with great speed. Now, on this same night a gentleman is slain, murdered in his bed, his house being entered by stealth from without; and his house situated within three hundred feet of this street. The windows of his chamber were in plain sight from this street; a weapon of death is afterwards found in a place where these persons were seen to pass, in a retired place, around which they had been seen lingering. It is now known that this murder was committed by four persons,

conspiring together for this purpose. No account is given who these suspected persons thus seen in Brown Street and its neighborhood were. Now, I ask, Gentlemen, whether you or any man can doubt that this murder was committed by the persons who were thus in and about Brown Street. Can any person doubt that they were there for purposes connected with this murder? If not for this purpose, what were they there for? When there is a cause so near at hand, why wander into conjecture for an explanation? Common sense requires you to take the nearest adequate cause for a known effect. Who were these suspicious persons in Brown Street? There was something extraordinary about them; something noticeable, and noticed at the time; something in their appearance that aroused suspicion. And a man is found the next morning murdered in the near vicinity.

85. Now, so long as no other account shall be given of those suspicious persons, so long the inference must remain irresistible that they were the murderers. Let it be remembered that it is already shown that this murder was the result of conspiracy and of concert; let it be remembered that the house, having been opened from within, was entered by stealth from without. Let it be remembered that Brown Street, where these persons were repeatedly seen under such suspicious circumstances, was a place from which every occupied room in Mr. White's house is clearly seen; let it be remembered that the place, though thus very near to Mr. White's house, is a retired and lonely place; and let it be remembered that the instrument of death was afterwards found concealed very near the same spot.

86. Must not every man come to the conclusion that these persons thus seen in Brown Street were the murderers? Every man's own judgment, I think, must satisfy him that this must be so. It is a plain deduction of common sense. It is a point on which each one of you may reason like a Hale or a Mansfield. The two occurrences explain each other. The murder shows why these persons were thus lurking, at that hour, in

Brown Street; and their lurking in Brown Street shows who committed the murder.

87. If, then, the persons in and about Brown Street were the plotters and executors of the murder of Captain White, we know who they were, and you know that *there* is one of them. This fearful concatenation of circumstances puts him to an account. He was a conspirator. He had entered into this plan of murder. The murder is committed, and he is known to have been within three minutes' walk of the place. He must account for himself. He has attempted this, and failed. Then, with all these general reasons to show he was actually in Brown Street, and his failures in his *alibi*, let us see what is the direct proof of his being there. But first, let me ask, is it not very remarkable that there is no attempt to show where Richard Crowninshield, Jr., was on that night? We hear nothing of him. He was seen in none of his usual haunts about the town. Yet, if he was the actual perpetrator of the murder, which nobody doubts, he was in the town somewhere. Can you, therefore, entertain a doubt that he was one of the persons seen in Brown Street? And as to the prisoner, you will recollect, that, since the testimony of the young men has failed to show where he was on that evening, the last we hear or know of him, on the day preceding the murder, is, that at four o'clock, P.M., he was at his brothers' in Wenham. He had left home, after dinner, in a manner doubtless designed to avoid observation, and had gone to Wenham, probably by way of Danvers. As we hear nothing of him after four o'clock, P.M., for the remainder of the day and evening; as he was one of the conspirators; as Richard Crowninshield, Jr., was another; as Richard Crowninshield, Jr., was in town in the evening, and yet seen in no usual place of resort, — the inference is very fair that Richard Crowninshield, Jr., and the prisoner were together, acting in execution of their conspiracy. Of the four conspirators, Joseph Knapp was at Wenham, and George Crowninshield has been

accounted for; so that if the persons seen in Brown Street were the murderers, one of them must have been Richard Crowninshield, Jr., and the other must have been the prisoner at the bar.

88. Now, as to the proof of his identity with one of the persons seen in Brown Street. Mr. Mirick, a cautious witness, examined the person he saw, closely, in a light night, and says that he thinks the prisoner at the bar is the person; and that he should not hesitate at all, if he were seen in the same dress. His opinion is formed partly from his own observation, and partly from the description of others. But this description turns out to be only in regard to the dress. It is said that he is now more confident than on the former trial. If he has varied in his testimony, make such allowance as you may think proper. I do not perceive any material variance. He thought him the same person, when he was first brought to court, and as he saw him get out of the chaise. This is one of the cases in which a witness is permitted to give an opinion. This witness is as honest as yourselves, neither willing nor swift; but he says he believes it was the man. His words are, "This is my opinion"; and this opinion it is proper for him to give. If partly founded on what he has *heard*, then this opinion is not to be taken; but if on what he *saw*, then you can have no better evidence. I lay no stress on similarity of dress. No man will ever lose his life by my voice on such evidence. But then it is proper to notice that no inferences drawn from any *dissimilarity* of dress can be given in the prisoner's favor; because, in fact, the person seen by Mirick was dressed like the prisoner.

89. The description of the person seen by Mirick answers to that of the prisoner at the bar. In regard to the supposed discrepancy of statements, before and now, there would be no end to such minute inquiries. It would not be strange if witnesses should vary. I do not think much of slight shades of variation. If I believe the witness is honest, that is enough. If he has

expressed himself more strongly now than then, this does not prove him false.

90. Peter E. Webster saw the prisoner at the bar, as he then thought, and still thinks, walking in Howard Street at half-past nine o'clock. He then thought it was Frank Knapp, and has not altered his opinion since. He knew him well; he had long known him. If he then thought it was he, this goes far to prove it. He observed him the more, as it was unusual to see gentlemen walk there at that hour. It was a retired, lonely street. Now, is there reasonable doubt that Mr. Webster did see him there that night? How can you have more proof than this? He judged by his walk, by his general appearance, by his deportment. We all judge in this manner. If you believe he is right, it goes a great way in this case. But then this person, it is said, had a cloak on, and that he could not, therefore, be the same person that Mirick saw. If we were treating of men that had no occasion to disguise themselves or their conduct, there might be something in this argument. But as it is there is little in it. It may be presumed that they would change their dress. This would help their disguise. What is easier than to throw off a cloak, and again put it on? Perhaps he was less fearful of being known when alone, than when with the perpetrator.

91. Mr. Southwick swears all that a man can swear. He has the best means of judging that could be had at the time. He tells you that he left his father's house at half-past ten o'clock, and as he passed to his own house in Brown Street he saw a man sitting on the steps of the rope-walk; that he passed him three times, and each time he held down his head, so that he did not see his face. That the man had on a cloak, which was not wrapped around him, and a glazed cap. That he took the man to be Frank Knapp at the time; that, when he went into his house, he told his wife that he thought it was Frank Knapp; that he knew him well, having known him from a boy. And his wife swears that he did so tell her when he came home.

What could mislead this witness at the time? He was not then suspecting Frank Knapp of anything. He could not then be influenced by any prejudice. If you believe that the witness saw Frank Knapp in this position at this time, it proves the case. Whether you believe it or not depends upon the credit of the witness. He swears it. If true, it is solid evidence. Mrs. Southwick supports her husband. Are they true? Are they worthy of belief? If he deserves the epithets applied to him, then he ought not to be believed. In this fact they cannot be mistaken; they are right, or they are perjured. As to his not speaking to Frank Knapp, that depends upon their intimacy. But a very good reason is, Frank chose to disguise himself. This makes nothing against his credit. But it is said that he should not be believed. And why? Because, it is said, he himself now tells you, that, when he testified before the grand jury at Ipswich, he did not then say that he thought the person he saw in Brown Street was Frank Knapp, but that "the person was about the size of Selman." The means of attacking him, therefore, come from himself. If he is a false man, why should he tell truths against himself? They rely on his veracity to prove that he is a liar. Before you can come to this conclusion, you will consider whether all the circumstances are now known, that should have a bearing on this point. Suppose that, when he was before the grand jury, he was asked by the attorney this question, "Was the person you saw in Brown Street about the size of Selman?" and he answered "Yes." This was all true. Suppose, also, that he expected to be inquired of further, and no further questions were put to him. Would it not be extremely hard to impute to him perjury for this? It is not uncommon for witnesses to think that they have done all their duty, when they have answered the questions put to them. But suppose that we admit that he did not then tell all he knew, this does not affect the *fact* at all; because he did tell, at the time, in the hearing of others, that the person

he saw was Frank Knapp. There is not the slightest suggestion against the veracity or accuracy of Mrs. Southwick. Now she swears positively that her husband came into the house and told her that he had seen a person on the rope-walk steps, and believed it was Frank Knapp.

92. It is said that Mr. Southwick is contradicted, also, by Mr. Shillaber. I do not so understand Mr. Shillaber's testimony. I think what they both testify is reconcilable and consistent. My learned brother said, on a similar occasion, that there is more probability, in such cases, that the persons hearing should misunderstand, than that the person speaking should contradict himself. I think the same remark applicable here.

93. You have all witnessed the uncertainty of testimony, when witnesses are called to testify what other witnesses said. Several respectable counselors have been summoned, on this occasion, to give testimony of that sort. They have, every one of them, given different versions. They all took minutes at the time, and without doubt intend to state the truth. But still they differ. Mr. Shillaber's version is different from everything that Southwick has stated elsewhere. But little reliance is to be placed on slight variations in testimony, unless they are manifestly intentional. I think that Mr. Shillaber must be satisfied that he did not rightly understand Mr. Southwick. I confess I misunderstood Mr. Shillaber on the former trial, if I now rightly understand him. I, therefore, did not then recall Mr. Southwick to the stand. Mr. Southwick, as I read it, understood Mr. Shillaber as asking him about a person coming out of Newbury Street, and whether, for aught he knew, it might not be Richard Crowninshield, Jr. He answered that he could not tell. He did not understand Mr. Shillaber as questioning him as to the person whom he saw sitting on the steps of the rope-walk. Southwick, on this trial, having heard Mr. Shillaber, has been recalled to the stand, and states that Mr. Shillaber entirely misunderstood him. This is certainly most probable, because

the controlling fact in the case is not controverted; that is, that Southwick did tell his wife, at the very moment he entered his house, that he had seen a person on the rope-walk steps, whom he believed to be Frank Knapp. Nothing can prove with more certainty than this, that Southwick, at the time, *thought* the person whom he thus saw to be the prisoner at the bar.

94. Mr. Bray is an acknowledged accurate and intelligent witness. He was highly complimented by my brother on the former trial, although he now charges him with varying his testimony. What could be his motive? You will be slow in imputing to him any design of this kind. I deny altogether that there is any contradiction. There may be differences, but not contradiction. These arise from the difference in the questions put; the difference between believing and knowing. On the first trial, he said he did not know the person, and now says the same. Then, we did not do all we had a right to do. We did not ask him who he thought it was. Now, when so asked, he says he believes it was the prisoner at the bar. If he had then been asked this question, he would have given the same answer. That he has expressed himself more strongly, I admit; but he has not contradicted himself. He is more confident now; and that is all. A man may not assert a thing, and still may have no doubt upon it. Cannot every man see this distinction to be consistent? I leave him in that attitude; that only is the difference. On questions of identity, opinion is evidence. We may ask the witness, either if he knew who the person seen was, or who he thinks he was. And he may well answer, as Captain Bray has answered, that he does not know who it was, but that he thinks it was the prisoner.

95. We have offered to produce witnesses to prove, that, as soon as Bray saw the prisoner, he pronounced him the same person. We are not at liberty to call them to corroborate our own witness. How, then, could this fact of the prisoner's being in Brown Street be better proved? If ten witnesses had

testified to it, it would be no better. Two men, who knew him well, took it to be Frank Knapp, and one of them so said, when there was nothing to mislead them. Two others, who examined him closely, now swear to their opinion that he is the man.

96. Miss Jaqueth saw three persons pass by the rope-walk, several evenings before the murder. She saw one of them pointing towards Mr. White's house. She noticed that another had something which appeared to be like an instrument of music; that he put it behind him and attempted to conceal it. Who were these persons? This was but a few steps from the place where this apparent instrument of music (of *music* such as Richard Crowninshield, Jr., spoke of to Palmer) was afterwards found. These facts prove this a point of rendezvous for these parties. They show Brown Street to have been the place for consultation and observation; and to this purpose it was well suited.

97. Mr. Burns's testimony is also important. What was the defendant's object in his private conversation with Burns? He knew that Burns was out that night; that he lived near Brown Street, and that he had probably seen him; and he wished him to say nothing. He said to Burns, "If you saw any of your friends out that night, say nothing about it; my brother Joe and I are your friends." This is plain proof that he wished to say to him, "If you saw me in Brown Street that night, say nothing about it."

98. But it is said that Burns ought not to be believed, because he mistook the color of the dagger, and because he has varied in his description of it. These are slight circumstances, if his general character be good. To my mind they are of no importance. It is for you to make what deduction you may think proper, on this account, from the weight of his evidence. His conversation with Burns, if Burns is believed, shows two things; first, that he desired Burns not to mention it, if he had

seen him on the night of the murder; second, that he wished to fix the charge of murder on Mr. Stephen White. Both of these prove his own guilt.

99. I think you will be of opinion that Brown Street was a probable place for the conspirators to assemble, and for an aid to be stationed. If we knew their whole plan, and if we were skilled to judge in such a case, then we could perhaps determine on this point better. But it is a retired place, and still commands a full view of the house; a lonely place, but still a place of observation. Not so lonely that a person would excite suspicion to be seen walking there in an ordinary manner; not so public as to be noticed by many. It is near enough to the scene of action in point of law. It was their point of centrality. The club was found near the spot, in a place provided for it, in a place that had been previously hunted out, in a concerted place of concealment. *Here was their point of rendezvous.* Here might the lights be seen. Here might an aid be secreted. Here was he within call. Here might he be aroused by the sound of the whistle. Here might he carry the weapon. Here might he receive the murderer after the murder.

100. Then, Gentlemen, the general question occurs, Is it satisfactorily proved, by all these facts and circumstances, that the defendant was in and about Brown Street on the night of the murder? Considering that the murder was effected by a conspiracy; considering that he was one of the four conspirators; considering that two of the conspirators have accounted for themselves on the night of the murder, and were not in Brown Street; considering that the prisoner does not account for himself, nor show where he was; considering that Richard Crowninshield, the other conspirator and the perpetrator, is not accounted for, nor shown to be elsewhere; considering that it is now past all doubt that two persons were seen lurking in and about Brown Street at different times, avoiding observation, and exciting so much suspicion that the neighbors

actually watched them; considering that, if these persons thus lurking in Brown Street at that hour were not the murderers, it remains to this day wholly unknown who they were or what their business was; considering the testimony of Miss Jaqueth, and that the club was afterwards found near this place; considering, finally, that Webster and Southwick saw these persons, and then took one of them for the defendant, and that Southwick then told his wife so, and that Bray and Mirick examined them closely, and now swear to their belief that the prisoner was one of them; — it is for you to say, putting these considerations together, whether you believe the prisoner was actually in Brown Street at the time of the murder.

101. By the counsel for the prisoner, much stress has been laid upon the question, whether Brown Street was a place in which aid could be given, a place in which actual assistance could be rendered in this transaction. This must be mainly decided by their own opinion who selected the place; by what they thought at the time, according to their plan of operation. If it was agreed that the prisoner should be there to assist, it is enough. If they thought the place proper for their purpose, according to their plan, it is sufficient. Suppose we could prove expressly that they agreed that Frank should be there, and he was there, and you should think it not a well-chosen place for aiding and abetting, must he be acquitted? No! It is not what *I* think or *you* think of the appropriateness of the place; it is what *they* thought *at the time*. If the prisoner was in Brown Street by appointment and agreement with the perpetrator, for the purpose of giving assistance if assistance should be needed, it may safely be presumed that the place was suited to such assistance as it was supposed by the parties might chance to become requisite.

102. If in Brown Street, was he there by appointment? was he there to aid, if aid were necessary? was he there for, or against, the murderer? to concur, or to oppose? to favor or to

thwart? Did the perpetrator know he was there, there waiting? If so, then it follows that he was there by appointment. He was at the post half an hour; he was waiting for somebody. This proves appointment, arrangement, previous agreement; then it follows that he was there to aid, to encourage, to embolden the perpetrator; and that is enough. If he were in such a situation as to afford aid, or that he was relied upon for aid, then he was aiding and abetting. It is enough that the conspirator desired to have him there. Besides, it may be well said that he could afford just as much aid there as if he had been in Essex Street, as if he had been standing even at the gate, or at the window. It was not an act of power against power that was to be done; it was a secret act, to be done by stealth. The aid was to be placed in a position secure from observation. It was important to the security of both that he should be in a lonely place. Now it is obvious that there are many purposes for which he might be in Brown Street: (1) Richard Crowninshield might have been secreted in the garden, and waiting for a signal; (2) or he might be in Brown Street to advise him as to the time of making his entry into the house; (3) or to favor his escape; (4) or to see if the street was clear when he came out; (5) or to conceal the weapon or the clothes; (6) to be ready for any unforeseen contingency. Richard Crowninshield lived in Danvers. He would retire by the most secret way. Brown Street is that way. If you find him there, can you doubt why he was there?

103. If, Gentlemen, the prisoner went into Brown Street, by appointment with the perpetrator, to render aid or encouragement in any of these ways, he was *present*, in legal contemplation, aiding and abetting in this murder. It is not necessary that he should have done anything; it is enough that he was ready to act, and in a place to act. If his being in Brown Street, by appointment, at the time of the murder, emboldened the purpose and encouraged the heart of the murderer

by the hope of instant aid, if aid should become necessary, then, without doubt, he was present, aiding and abetting, and was a principal in the murder.

104. I now proceed, Gentlemen, to the consideration of the testimony of Mr. Colman. Although this evidence bears on every material part of the cause, I have purposely avoided every comment on it till the present moment, when I have done with the other evidence in the case. As to the admission of this evidence, there has been a great struggle, and its importance demanded it. The general rule of law is, that confessions are to be received as evidence. They are entitled to great or to little consideration, according to the circumstances under which they are made. Voluntary, deliberate confessions are the most important and satisfactory evidence, but confessions hastily made, or improperly obtained, are entitled to little or no consideration. It is always to be inquired, whether they were purely voluntary, or were made under any undue influence of hope or fear; for, in general, if any influence were exerted on the mind of the person confessing, such confessions are not to be submitted to a jury. Who is Mr. Colman? He is an intelligent, accurate, and cautious witness; a gentleman of high and well-known character, and of unquestionable veracity; as a clergyman, highly respectable; as a man, of fair name and fame. Why was Mr. Colman with the prisoner? Joseph Knapp was his parishioner; he was the head of a family, and had been married by Mr. Colman. The interests of that family were dear to him. He felt for their afflictions, and was anxious to alleviate their sufferings. He went from the purest and best of motives to visit Joseph Knapp. He came to save, not to destroy; to rescue, not to take away life. In this family he thought there might be a chance to save one. It is a misconstruction of Mr. Colman's motives, at once the most strange and the most uncharitable, a perversion of all just views of his conduct and intentions the

most unaccountable, to represent him as acting, on this occasion, in hostility to any one, or as desirous of injuring or endangering any one. He has stated his own motives, and his own conduct, in a manner to command universal belief and universal respect. For intelligence, for consistency, for accuracy, for caution, for candor, never did witness aquit himself better, or stand fairer. In all that he did as a man, and all he has said as a witness, he has shown himself worthy of entire regard.

105. Now, Gentlemen, very important confessions made by the prisoner are sworn to by Mr. Colman. They were made in the prisoner's cell, where Mr. Colman had gone with the prisoner's brother, Phippen Knapp. Whatever conversation took place was in the presence of Phippen Knapp. Now, on the part of the prisoner, two things are asserted; first, that such inducements were suggested to the prisoner, in this interview, that no confessions made by him ought to be received; second, that, in point of fact, he made no such confessions as Mr. Colman testifies to, nor, indeed, any confessions at all. These two propositions are attempted to be supported by the testimony of Phippen Knapp. These two witnesses, Mr. Colman and Phippen Knapp, differ entirely. There is no possibility of reconciling them. No charity can cover both. One or the other has sworn falsely. If Phippen Knapp be believed, Mr. Colman's testimony must be wholly disregarded. It is, then, a question of credit, a question of belief between the two witnesses. As you decide between these, so you will decide on all this part of the case.

106. Mr. Colman has given you a plain narrative, a consistent account, and has uniformly stated the same things. He is not contradicted, except by the testimony of Phippen Knapp. He is influenced, as far as we can see, by no bias, or prejudice, any more than other men, except so far as his character is now at stake. He has feelings on this point, doubtless, and ought to have. If what he has stated be not true, I cannot see any

ground for his escape. If he be a true man, he must have heard what he testifies. No treachery of memory brings to memory things that never took place. There is no reconciling his evidence with good intention, if the facts in it are not as he states them. He is on trial as to his veracity.

107. The relation in which the other witness stands deserves your careful consideration. He is a member of the family. He has the lives of two brothers depending, as he may think, on the effect of his evidence; depending on every word he speaks. I hope he has not another responsibility resting upon him. By the advice of a friend, and that friend Mr. Colman, Joseph Knapp made a full and free confession, and obtained a promise of pardon. He has since, as you know, probably by the advice of other friends, retracted that confession, and rejected the offered pardon. Events will show who of these friends and advisers advised him best, and befriended him most. In the mean time, if this brother, the witness, be one of these advisers, and advised the retraction, he has, most emphatically, the lives of his brothers resting upon his evidence and upon his conduct. Compare the situation of these two witnesses. Do you not see mighty motive enough on the one side, and want of all motive on the other? I would gladly find an apology for that witness, in his agonized feelings, in his distressed situation; in the agitation of that hour, or of this. I would gladly impute it to error or to want of recollection, to confusion of mind or disturbance of feeling. I would gladly impute to any pardonable source that which cannot be reconciled to facts and to truth; but, even in a case calling for so much sympathy, justice must yet prevail, and we must come to the conclusion, however reluctantly, which that demands from us.

108. It is said, Phippen Knapp was probably correct, because he knew he should probably be called as a witness. Witness to what? When he says there was no confession, what could he expect to bear witness of? But I do not put it on the ground that

he did not hear; I am compelled to put it on the other ground, that he did hear, and does not now truly tell what he heard.

109. If Mr. Colman were out of the case, there are other reasons why the story of Phippen Knapp should not be believed. It has in it inherent improbabilities. It is unnatural, and inconsistent with the accompanying circumstances. He tells you that they went "to the cell of Frank, to see if he had any objection to taking a trial, and suffering his brother to accept the offer of pardon"; in other words, to obtain Frank's consent to Joseph's making a confession; and in case this consent was not obtained, that the pardon would be offered to Frank. Did they bandy about the chance of life, between these two, in this way? Did Mr. Colman, after having given this pledge to Joseph, and after having received a disclosure from Joseph, go to the cell of Frank for such a purpose as this? It is impossible; it cannot be so.

110. Again, we know that Mr. Colman found the club the next day; that he went directly to the place of deposit, and found it at the first attempt, exactly where he says he had been informed it was. Now Phippen Knapp says that Frank had stated nothing respecting the club; that it was not mentioned in that conversation. He says, also, that he was present in the cell of Joseph all the time that Mr. Colman was there; that he believes he heard all that was said in Joseph's cell; and that he did not himself know where the club was, and never had known where it was, until he heard it stated in court. Now it is certain that Mr. Colman says he did not learn the particular place of deposit of the club from Joseph; that he only learned from him that it was deposited under the steps of the Howard Street meeting-house, without defining the particular steps. It is certain, also, that he had more knowledge of the position of the club than this; else how could he have placed his hand on it so readily? and where else could he have obtained this knowledge, except from Frank?

111. My point is to show that Phippen Knapp's story is not true, is not consistent with itself; that, taking it for granted, as he says, that he heard all that was said to Mr. Colman in both cells, by Joseph and by Frank; and that Joseph did not state particularly where the club was deposited; and that he knew as much about the place of deposit of the club as Mr. Colman knew; why, then Mr. Colman must either have been miraculously informed respecting the club, or Phippen Knapp has not told you the whole truth. There is no reconciling this, without supposing that Mr. Colman has misrepresented what took place in Joseph's cell, as well as what took place in Frank's cell.

112. Again, Phippen Knapp is directly contradicted by Mr. Wheatland. Mr. Wheatland tells the same story, as coming from Phippen Knapp, that Colman now tells. Here there are two against one. Phippen Knapp says that Frank made no confessions, and that he said he had none to make. In this he is contradicted by Wheatland. He, Phippen Knapp, told Wheatland that Mr. Colman did ask Frank some questions, and that Frank answered them. He told him also what these answers were. Wheatland does not recollect the questions or answers, but recollects his reply, which was, "Is not this *premature?* I think this answer is sufficient to make Frank a principal." Here Phippen Knapp opposes himself to Wheatland, as well as to Mr. Colman. Do you believe Phippen Knapp against these two respectable witnesses, or them against him?

113. Is not Mr. Colman's testimony credible, natural, and proper? To judge of this, you must go back to that scene.

114. The murder had been committed; the two Knapps were now arrested; four persons were already in jail supposed to be concerned in it, the Crowninshields, and Selman, and Chase. Another person at the eastward was supposed to be in the plot; it was important to learn the facts. To do this, some one of

those suspected must be admitted to turn state's witness. The contest was, Who should have this privilege? It was understood that it was about to be offered to Palmer, then in Maine; there was no good reason why he should have the preference. Mr. Colman felt interested for the family of the Knapps, and particularly for Joseph. He was a young man who had hitherto maintained a fair standing in society; he was a husband. Mr. Colman was particularly intimate with his family. With these views he went to the prison. He believed that he might safely converse with the prisoner, because he thought confessions made to a clergyman were sacred, and that he could not be called upon to disclose them. He went, the first time, in the morning, and was requested to come again. He went again at three o'clock; and was requested to call again at five o'clock. In the mean time he saw the father and Phippen, and they wished he would not go again, because it would be said the prisoners were making confessions. He said he had engaged to go again at five o'clock, but would not, if Phippen would excuse him to Joseph. Phippen engaged to do this, and to meet him at his office at five o'clock. Mr. Colman went to the office at the time, and waited; but, as Phippen was not there, he walked down street, and saw him coming from the jail. He met him, and while in conversation near the church, he saw Mrs. Beckford and Mrs. Knapp going in a chaise towards the jail. He hastened to meet them, as he thought it not proper for them to go in at that time. While conversing with them near the jail, he received two distinct messages from Joseph, that he wished to see him. He thought it proper to go; and accordingly went to Joseph's cell, and it was while there that the disclosures were made. Before Joseph had finished his statement, Phippen came to the door; he was soon after admitted. A short interval ensued, and they went together to the cell of Frank. Mr. Colman went in by invitation of Phippen; he had come directly from the cell of

Joseph, where he had for the first time learned the incidents of the tragedy. He was incredulous as to some of the facts which he had learned, they were so different from his previous impressions. He was desirous of knowing whether he could place confidence in what Joseph had told him. He therefore put the questions to Frank, as he has testified before you; in answer to which Frank Knapp informed him, — (1) "that the murder took place between ten and eleven o'clock"; (2) "that Richard Crowninshield was alone in the house"; (3) "that he, Frank Knapp, went home afterwards"; (4) "that the club was deposited under the steps of the Howard Street meeting-house, and under the part nearest the burying-ground, in a rat-hole"; (5) "that the dagger or daggers had been worked up at the factory."

115. It is said that these five answers just fit the case; that they are just what was wanted, and neither more nor less. True, they are; but the reason is, because truth always fits. Truth is always congruous, and agrees with itself; every truth in the universe agrees with every other truth in the universe; whereas falsehoods not only disagree with truths, but usually quarrel among themselves. Surely Mr. Colman is influenced by no bias, no prejudice; he has no feelings to warp him, except, now that he is contradicted, he may feel an interest to be believed. If you believe Mr. Colman, then the evidence is fairly in the case.

116. I shall now proceed on the ground that you do believe Mr. Colman.

117. When told that Joseph had determined to confess, the defendant said, "It is hard, or unfair, that Joseph should have the benefit of confessing, since the thing was done for his benefit." What thing was done for his benefit? Does not this carry an implication of the guilt of the defendant? Does it not show that he had a knowledge of the object and history of the murder?

118. The defendant said, "I told Joseph, when he proposed it, that it was a silly business, and would get us into trouble." He knew, then, what this business was; he knew that Joseph proposed it, and that he agreed to it, else he could not get *us* into trouble; he understood its bearing and its consequences. Thus much was said, under circumstances that make it clearly evidence against him, before there is any pretense of an inducement held out. And does not this prove him to have had a knowledge of the conspiracy?

119. He knew the daggers had been destroyed, and he knew who committed the murder. How could he have innocently known these facts? Why, if by Richard's story, this shows him guilty of a knowledge of the murder, and of the conspiracy. More than all, he knew when the deed was done, and that he went home afterwards. This shows his participation in that deed. "Went home afterwards"! Home, from what scene? home, from what fact? home, from what transaction? home, from what place? This confirms the supposition that the prisoner was in Brown Street for the purposes ascribed to him. These questions were directly put, and directly answered. He does not intimate that he received the information from another. Now, if he knows the time, and went home afterwards, and does not excuse himself, is not this an admission that he had a hand in this murder? Already proved to be a conspirator in the murder, he now confesses that he knew who did it, at what time it was done, that he was himself out of his own house at the time, and went home afterwards. Is not this conclusive, if not explained? Then comes the club. He told where it was. This is like possession of stolen goods. He is charged with the guilty knowledge of this concealment. He must show, not say, how he came by this knowledge. If a man be found with stolen goods, he must prove how he came by them. The place of deposit of the club was premeditated and selected, and he knew where it was.

120. Joseph Knapp was an accessory, and an accessory only; he knew only what was told him. But the prisoner knew the particular spot in which the club might be found. This shows his knowledge something more than that of an accessory. This presumption must be rebutted by evidence, or it stands strong against him. He has too much knowledge of this transaction to have come innocently by it. It must stand against him until he explains it.

121. This testimony of Mr. Colman is represented as new matter, and therefore an attempt has been made to excite a prejudice against it. It is not so. How little is there in it, after all, that did not appear from other sources? It is mainly confirmatory. Compare what you learn from this confession with what you before knew. As to its being proposed by Joseph, was not that known? As to Richard's being alone in the house, was not that known? As to the daggers, was not that known? As to the time of the murder, was not that known? As to his being out that night, was not that known? As to his returning afterwards, was not that known? As to the club, was not that known? So this information confirms what was known before, and fully confirms it.

122. One word as to the interview between Mr. Colman and Phippen Knapp on the turnpike. It is said that Mr. Colman's conduct in this matter is inconsistent with his testimony. There does not appear to me to be any inconsistency. He tells you that his object was to save Joseph, and to hurt no one, and least of all the prisoner at the bar. He had probably told Mr. White the substance of what he heard at the prison. He had probably told him that Frank confirmed what Joseph had confessed. He was unwilling to be the instrument of harm to Frank. He therefore, at the request of Phippen Knapp, wrote a note to Mr. White, requesting him to consider Joseph as authority for the information he had received. He tells you that this is the only thing he has to regret, as it

may seem to be an evasion, as he doubts whether it is entirely correct. If it was an evasion, if it was a deviation, if it was an error, it was an error of mercy, an error of kindness, — an error that proves he had no hostility to the prisoner at the bar. It does not in the least vary his testimony, or affect its correctness. Gentlemen, I look on the evidence of Mr. Colman as highly important; not as bringing into the cause new facts, but as confirming, in a very satisfactory manner, other evidence. It is incredible that he can be false, and that he is seeking the prisoner's life through false swearing. If he is true, it is incredible that the prisoner can be innocent.

123. Gentlemen, I have gone through with the evidence in this case, and have endeavored to state it plainly and fairly before you. I think there are conclusions to be drawn from it, the accuracy of which you cannot doubt. I think you cannot doubt that there was a conspiracy formed for the purpose of committing this murder, and who the conspirators were; that you cannot doubt that the Crowninshields and the Knapps were the parties in this conspiracy; that you cannot doubt that the prisoner at the bar knew that the murder was to be done on the night of the 6th of April; that you cannot doubt that the murderers of Captain White were the suspicious persons seen in and about Brown Street on that night; that you cannot doubt that Richard Crowninshield was the perpetrator of that crime; that you cannot doubt that the prisoner at the bar was in Brown Street on that night. If there, then it must be by agreement, to countenance, to aid the perpetrator. And if so, then he is guilty as PRINCIPAL.

124. Gentlemen, your whole concern should be to do your duty, and leave consequences to take care of themselves. You will receive the law from the court. Your verdict, it is true, may endanger the prisoner's life, but then it is to save other lives. If the prisoner's guilt has been shown and proved

beyond all reasonable doubt, you will convict him. If such reasonable doubts of guilt still remain, you will acquit him. You are the judges of the whole case. You owe a duty to the public, as well as to the prisoner at the bar. You cannot presume to be wiser than the law. Your duty is a plain, straightforward one. Doubtless we would all judge him in mercy. Towards him, as an individual, the law inculcates no hostility; but towards him, if proved to be a murderer, the law, and the oaths you have taken, and public justice, demand that you do your duty.

125. With consciences satisfied with the discharge of duty, no consequences can harm you. There is no evil that we cannot either face or fly from, but the consciousness of duty disregarded. A sense of duty pursues us ever. It is omnipresent, like the Deity. If we take to ourselves the wings of the morning, and dwell in the uttermost parts of the sea, duty performed, or duty violated, is still with us, for our happiness or our misery. If we say the darkness shall cover us, in the darkness as in the light our obligations are yet with us. We cannot escape their power, nor fly from their presence. They are with us in this life, will be with us at its close; and in that scene of inconceivable solemnity which lies yet farther onward, we shall still find ourselves surrounded by the consciousness of duty, to pain us wherever it has been violated, and to console us so far as God may have given us grace to perform it.

"A HOUSE DIVIDED AGAINST ITSELF CANNOT STAND"

ABRAHAM LINCOLN

A SPEECH OF ACCEPTANCE OF THE REPUBLICAN NOMINATION FOR UNITED STATES SENATOR AT SPRINGFIELD, ILLINOIS, JUNE 17, 1858.

INTRODUCTION

The biography of Abraham Lincoln, up to the time that he became a figure of national importance, may best be told in his own words. Answering one who, in 1859, had asked him for some biographic particulars, Lincoln wrote:

"I was born February 12, 1809, in Hardin County, Kentucky. My parents were both born in Virginia, of undistinguished families. My mother, who died in my tenth year, was of a family of the name of Hanks. My father (Thomas Lincoln), by the early death of his father, and the very narrow circumstances of his mother, was, even in childhood, a wandering, laboring boy, and grew up literally without education. He never did more in the way of writing than bunglingly to write his own name. He removed from Kentucky to what is now Spencer County, Indiana, in my eighth year. It was a wild region, with many bears and other animals still in the woods. There were some schools, so-called, but no qualification was ever required of a teacher beyond 'readin', writin', and cipherin' to the Rule of Three'. If a straggler supposed to understand Latin happened to sojourn in the neighborhood, he was looked upon as a wizard. Of course, when I came of age I did not know much. Still, somehow I could read, write, and cipher to the Rule of Three. The little advance I now have upon this store of education I have picked up from time to time under the pressure of necessity.

"I was raised to farm work till I was twenty-two. At twenty-one I came to Illinois, Macon County. Then I got to New Salem, where I remained a year as a sort of clerk in a store. Then came the Black Hawk War and I was elected captain of a volunteer regiment, a success that gave me more pleasure than any I have had since. I went the campaign, was elated, ran for the legislature the same year (1832), and was beaten — the only time I ever have been beaten by the people. The next, and three succeeding biennial elections, I was elected to the legislature. I was not a candidate afterward. During the legislative period I had studied law and removed to Springfield to practice it. In 1846 I was elected to the lower house of Congress. Was not a candidate for reëlection. From 1849 to 1854, inclusive, practiced law more assiduously than ever before, was always a Whig in politics, and generally on the Whig electoral tickets, making active canvasses. I was losing interest in politics when the repeal of the Missouri Compromise aroused me again.

"If any personal description of me is thought desirable, it may be said that I am in height six feet four inches, nearly; lean in flesh, weighing on an average one hundred and eighty pounds; dark complexion, with coarse black hair and gray eyes. No other marks or brands recollected."

In 1858 Lincoln may be said to have taken up the slavery question where Webster left it in his speech of March 7, 1850. Though Lincoln, in the quotation above, speaks of the period from 1849 to 1854 as one of political inactivity, it seems to have been utilized by him as a period of preparation for his great work, and the result is enunciated in the speech in this volume. The issue, as defined by him in this speech, — though Lincoln, with many statesmen on both sides, tried to effect a peaceable settlement, — was fought out in the Civil War.

When Lincoln was assassinated (April 14, 1865) he was the idol of a section. With the passing of time he has come to be looked upon as the national man-type, so that the poetic eulogy of Lowell is applicable now in a fuller sense than when it was first written.

> Standing like a tower,
> Our children shall behold his fame,
> The kindly-earnest, brave, foreseeing man,
> Sagacious, patient, dreading praise, not blame,
> New birth of our new soil, the first American.

Although Lincoln is chiefly remembered as a statesman rather than as an orator, he nevertheless wielded a tremendous influence through his speeches. This must be attributed to the matter and style of his address rather than to any so-called arts of delivery. As to the latter, he was a "natural orator," owing as little to books and teachers as any man of equal eminence. He had a falsetto and not particularly strong voice, a plain and unimpassioned delivery, an awkward and ungainly carriage, and yet he convinced and persuaded his hearers by his clear, simple statements, homespun diction, and intense moral earnestness. Lincoln's style, from the standpoints of clearness and simplicity, may well be studied by any one who expects to address a popular audience. He learned the art of putting things to an average American audience as few political speakers have acquired it. "His happy statement of a case was better than most men's argument." Yet more than Webster, far more than Burke, his style is marked by great simplicity. There is no needless amplification or "excursus." Take the speech in this volume, for example. Condensation is impossible. Not a paragraph — if indeed a word — could be omitted without taking away something vital to the discussion. It is solid argument, as sententious and axiomatic as if made to a bench of jurists.

Regarding his training in attaining clearness of statement, Lincoln once said to a friend: "I remember how, when a mere child, I used to get irritated when anybody talked to me in a way I could not understand. I don't think I ever got angry at anything else in my life. But that always disturbed my temper, and has ever since. I can remember going to my bedroom, after hearing the neighbors talk of an evening with my father, and spending no small part of the night walking up and down, and trying to make out what was the meaning of some of their, to me, dark sayings. I could not sleep, though I often tried to, when I got on such a hunt after an idea, until I had caught it; and when I thought I had got it, I was not satisfied until I had repeated it over and over, until I had put it in language plain enough, as I thought, for any boy I knew to comprehend. This was a kind of passion with me, and it has stuck by me, for I am never easy now, when I am handling a thought, till I have bounded it north and bounded it south and bounded it east and bounded it west."

The "Divided House" Speech was delivered in the Statehouse at Springfield, Illinois, on the evening of April 17, 1858, at the

close of the Republican State Convention held at that time and place, the convention having unanimously passed a resolution which declared that "Abraham Lincoln is our first and only choice for United States Senator as the successor of Stephen A. Douglas." Lincoln had expected the nomination, and for a long time previously had been working on his speech of acceptance. It was no doubt the most carefully prepared speech of his whole life. Every word of it was written, every sentence had been tested. In the process of composition it is said[1] that he ceaselessly turned over the subject-matter in his mind, frequently stopping short to jot an idea or expression upon some scrap of paper, which he then thrust into his hat. Thus, piece by piece, the accumulation grew alike inside and outside of his head, and at last he took all his fragments and with infinite consideration molded them into unity. By the time of delivery he had committed the whole speech accurately to memory, and it was spoken without manuscript or notes. The evening of the day previous to its delivery he had produced the finished manuscript and read the opening paragraph to his law partner, Mr. Herndon. "Is it politic," Mr. Herndon asked, "to speak it as it is written?" referring to the expression, "A house divided against itself cannot stand." Lincoln answered, "I want to use some universally known figure, expressed in simple language as universally known, that may strike home to the minds of men in order to rouse them to the peril of the times. I would rather be defeated with this expression in the speech, and have it held up and discussed before the people, than to be victorious without it." Other close political friends were called in council. They thought his utterance impolitic and sure to lead to his defeat. Lincoln heard them patiently and then said:

"Friends, I have thought about the matter a great deal, have weighed the question well from all corners, and am thoroughly convinced that the time has come when it should be uttered, and if it must be that I must go down with this speech, then let me go down linked to truth, die in the advocacy of what is just and right. This nation cannot live on injustice. 'A house divided against itself cannot stand,' I say again and again."

The speech was given in the original form, and events soon proved the importance of Lincoln's painstaking preparation. It

[1] Morse, *Abraham Lincoln* (American Statesman Series), Vol. I, p. 117.

was at once subjected to a dissection and criticism such as do not often follow the winged words of the orator. And this because it contained a plain statement of a truth which all politicians and many statesmen, both North and South, were attempting to stamp down as an untruth. Politically, too, the speech proved to be the first step in Lincoln's progress to the White House. Mr. Chittenden, in his compilation of Lincoln's speeches, says that the following speech, "whether judged by its intrinsic qualities or by its influence upon the fortunes of the Republic, is one of the greatest of all political documents since the Declaration of Independence."

1. MR. PRESIDENT, AND GENTLEMEN OF THE CONVENTION: If we could first know where we are, and whither we are tending, we could better judge what to do, and how to do it. We are now far into the fifth year since a policy was initiated with the avowed object, and confident promise, of putting an end to slavery agitation. Under the operation of that policy, that agitation has not only not ceased, but has constantly augmented. In my opinion, it will not cease until a crisis shall have been reached and passed. "A house divided against itself cannot stand." I believe this government cannot endure permanently half slave and half free. I do not expect the Union to be dissolved — I do not expect the house to fall — but I do expect it will cease to be divided. It will become all one thing, or all the other. Either the opponents of slavery will arrest the further spread of it, and place it where the public mind shall rest in the belief that it is in the course of ultimate extinction; or its advocates will push it forward, till it shall become alike lawful in all the states, old as well as new — North as well as South.

2. Have we no tendency to the latter condition? Let anyone who doubts, carefully contemplate that now almost complete legal combination — piece of machinery, so to speak — compounded of the Nebraska doctrine and the Dred Scott decision. Let him consider not only what work the machinery

is adapted to do, and how well adapted; but also, let him study the history of its construction, and trace, if he can, or rather fail, if he can, to trace the evidences of design, and concert of action, among its chief architects, from the beginning.

3. The new year of 1854 found slavery excluded from more than half the states by state constitutions, and from most of the national territory by Congressional prohibition. Four days later, commenced the struggle which ended in repealing that Congressional prohibition. This opened all the national territory to slavery, and was the first point gained.

4. But, so far, Congress only had acted; and an indorsement by the people, real or apparent, was indispensable, to save the point already gained, and give chance for more. This necessity had not been overlooked; but had been provided for, as well as might be, in the notable argument of "squatter sovereignty," otherwise called "sacred right of self-government," which latter phrase, though expressive of the only rightful basis of any government, was so perverted in this attempted use of it as to amount to just this: That if any one man choose to enslave another, no third man shall be allowed to object. That argument was incorporated into the Nebraska bill itself, in the language which follows: "It being the true intent and meaning of this act not to legislate slavery into any territory or state, nor to exclude it therefrom; but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States." Then opened the roar of loose declamation in favor of "squatter sovereignty," and "sacred right of self-government." "But," said opposition members, "let us amend the bill so as to expressly declare that the people of the territory may exclude slavery." "Not we," said the friends of the measure; and down they voted the amendment.

5. While the Nebraska bill was passing through Congress, a *law case* involving the question of a negro's freedom, by reason of his owner having voluntarily taken him first into a free state and then into a territory covered by the Congressional prohibition, and held him as a slave for a long time in each, was passing through the United States Circuit Court for the District of Missouri; and both Nebraska bill and law suit were brought to a decision in the same month of May, 1854. The negro's name was "Dred Scott," which name now designates the decision finally made in the case. Before the then next presidential election, the law case came to, and was argued in, the Supreme Court of the United States; but the decision of it was deferred until after the election. Still, before the election, Senator Trumbull, on the floor of the Senate, requested the leading advocate of the Nebraska bill to state *his opinion* whether the people of a territory can constitutionally exclude slavery from their limits; and the latter answers: "That is a question for the Supreme Court."

6. The election came. Mr. Buchanan was elected, and the indorsement, such as it was, secured. That was the second point gained. The indorsement, however, fell short of a clear popular majority by nearly four hundred thousand votes, and so, perhaps, was not overwhelmingly reliable and satisfactory. The outgoing President, in his last annual message, as impressively as possible echoed back upon the people the weight and authority of the indorsement. The Supreme Court met again; did not announce their decision, but ordered a re-argument. The presidential inauguration came, and still no decision of the court; but the incoming President in his inaugural address fervently exhorted the people to abide by the forthcoming decision, whatever it might be. Then, in a few days, came the decision.

7. The reputed author of the Nebraska bill finds an early occasion to make a speech at this capital indorsing the Dred

Scott decision, and vehemently denouncing all opposition to it. The new President, too, seizes the early occasion of the Silliman letter to indorse and strongly construe that decision, and to express his astonishment that any different view had ever been entertained!

8. At length a squabble springs up between the President and the author of the Nebraska bill, on the mere question of fact, whether the Lecompton Constitution was or was not, in any just sense, made by the people of Kansas; and in that quarrel the latter declares that all he wants is a fair vote for the people, and that he cares not whether slavery be voted down or voted up. I do not understand his declaration that he cares not whether slavery be voted down or voted up, to be intended by him other than as an apt definition of the policy he would impress upon the public mind — the principle for which he declares he has suffered so much, and is ready to suffer to the end. And well may he cling to that principle. If he has any parental feeling, well may he cling to it. That principle is the only shred left of his original Nebraska doctrine. Under the Dred Scott decision, "squatter sovereignty" squatted out of existence, tumbled down like temporary scaffolding — like the mold at the foundry served through one blast and fell back into loose sand — helped to carry an election, and then was kicked to the winds. His late joint struggle with the Republicans, against the Lecompton Constitution, involves nothing of the original Nebraska doctrine. That struggle was made on a point — the right of a people to make their own constitution — upon which he and the Republicans have never differed.

9. The several points of the Dred Scott decision, in connection with Senator Douglas's "care not" policy, constitute the piece of machinery, in its present state of advancement. This was the third point gained. The working points of that machinery are:

10. First, That no negro slave, imported as such from Africa, and no descendant of such slave, can ever be a citizen of any state, in the sense of that term as used in the Constitution of the United States. This point is made in order to deprive the negro, in every possible event, of the benefit of that provision of the United States Constitution, which declares that "The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states."

11. Secondly, That, "subject to the Constitution of the United States," neither Congress nor a territorial Legislature can exclude slavery from any United States territory. This point is made in order that individual men may fill up the territories with slaves, without danger of losing them as property, and thus to enhance the chances of permanency to the institution through all the future.

12. Thirdly, That whether the holding a negro in actual slavery in a free state, makes him free, as against the holder, the United States courts will not decide, but will leave to be decided by the courts of any slave state the negro may be forced into by the master. This point is made, not to be pressed immediately; but, if acquiesced in for a while, and apparently indorsed by the people at an election, then to sustain the logical conclusion that what Dred Scott's master might lawfully do with Dred Scott, in the free state of Illinois, every other master may lawfully do with any other one, or one thousand slaves, in Illinois, or in any other free state.

13. Auxiliary to all this, and working hand in hand with it, the Nebraska doctrine, or what is left of it, is to educate and mold public opinion, at least Northern public opinion, not to care whether slavery is voted down or voted up. This shows exactly where we now are; and partially, also, whither we are tending.

14. It will throw additional light on the latter, to go back, and run the mind over the string of historical facts already

stated. Several things will now appear less dark and mysterious than they did when they were transpiring. The people were to be left "perfectly free," "subject only to the Constitution." What the Constitution had to do with it, outsiders could not then see. Plainly enough now: it was an exactly fitted niche for the Dred Scott decision to afterward come in and declare the perfect freedom of the people to be just no freedom at all. Why was the amendment, expressly declaring the right of the people, voted down? Plainly enough now: the adoption of it would have spoiled the niche for the Dred Scott decision. Why was the court decision held up? Why even a Senator's individual opinion withheld, till after the Presidential election? Plainly enough now: the speaking out then would have damaged the perfectly free argument upon which the election was to be carried. Why the outgoing President's felicitation on the indorsement? Why the delay of a re-argument? Why the incoming President's advance exhortation in favor of the decision? These things look like the cautious patting and petting of a spirited horse preparatory to mounting him, when it is dreaded that he may give the rider a fall. And why the hasty after-indorsement of the decision by the President and others?

15. We cannot absolutely know that all these exact adaptations are the result of preconcert. But when we see a lot of framed timbers, different portions of which we know have been gotten out at different times and places and by different workmen—Stephen, Franklin, Roger, and James, for instance—and when we see these timbers joined together, and see they exactly make the frame of a house or a mill, all the tenons and mortises exactly fitting, and all the lengths and proportions of the different pieces exactly adapted to their respective places, and not a piece too many or too few — not omitting even scaffolding — or, if a single piece be lacking, we see the place in the frame exactly fitted and prepared yet to bring such piece in — in such a case, we find it impossible not to believe that Stephen

and Franklin and Roger and James all understood one another from the beginning, and all worked upon a common plan or draft drawn up before the first blow was struck.

16. It should not be overlooked that, by the Nebraska bill, the people of a *state* as well as territory, were to be left "perfectly free," "subject only to the Constitution." Why mention a state? They were legislating for territories, and not for or about states. Certainly the people of a state are and ought to be subject to the Constitution of the United States; but why is mention of this lugged into this merely territorial law? Why are the people of a territory and the people of a state therein lumped together, and their relation to the Constitution therein treated as being precisely the same? While the opinion of the court, by Chief Justice Taney, in the Dred Scott case, and the separate opinions of all the concurring Judges, expressly declare that the Constitution of the United States neither permits Congress nor a territorial Legislature to exclude slavery from any United States territory, they all omit to declare whether or not the same Constitution permits a state, or the people of a state, to exclude it. Possibly, this is a mere omission; but who can be quite sure, if McLean or Curtis had sought to get into the opinion a declaration of unlimited power in the people of a state to exclude slavery from their limits, just as Chase and Mace sought to get such declaration, in behalf of the people of a territory, into the Nebraska bill, — I ask, who can be quite sure that it would not have been voted down in the one case as it had been in the other? The nearest approach to the point of declaring the power of a state over slavery, is made by Judge Nelson. He approaches it more than once, using the precise idea, and almost the language, too, of the Nebraska act. On one occasion his exact language is, "Except in cases where the power is restrained by the Constitution of the United States, the law of the state is supreme over the subject of slavery within its jurisdiction." In what cases the power of the

state is so restrained by the United States Constitution, is left an open question, precisely as the same question, as to the restraint on the power of the territories, was left open in the Nebraska act. Put this and that together, and we have another nice little niche, which we may, ere long, see filled with another Supreme Court decision, declaring that the Constitution of the United States does not permit a *state* to exclude slavery from its limits. And this may especially be expected if the doctrine of "care not whether slavery be voted down or voted up" shall gain upon the public mind sufficiently to give promise that such a decision can be maintained when made.

17. Such a decision is all that slavery now lacks of being alike lawful in all the states. Welcome, or unwelcome, such decision is probably coming, and will soon be upon us, unless the power of the present political dynasty shall be met and overthrown. We shall lie down pleasantly dreaming that the people of Missouri are on the verge of making their state free, and we shall awake to the reality instead, that the Supreme Court has made Illinois a slave state. To meet and overthrow the power of that dynasty is the work now before all those who would prevent that consummation. That is what we have to do. How can we best do it?

18. There are those who denounce us openly to their own friends, and yet whisper us softly that Senator Douglas is the aptest instrument there is with which to effect that object. They wish us to *infer* all, from the fact that he now has a little quarrel with the present head of the dynasty; and that he has regularly voted with us on a single point, upon which he and we have never differed. They remind us that he is a great man, and that the largest of us are very small ones. Let this be granted. But "A living dog is better than a dead lion." Judge Douglas, if not a dead lion, for this work, is at least a caged and toothless one. How can he oppose the advances of slavery? He don't care anything about it. His avowed

mission is impressing the "public heart" to *care nothing about it.* A leading Douglas Democratic newspaper thinks Douglas's superior talent will be needed to resist the revival of the African slave trade. Does Douglas believe an effort to revive that trade is approaching? He has not said so. Does he really think so? But if it is, how can he resist it? For years he has labored to prove it a sacred right of white men to take negro slaves into the new territories. Can he possibly show that it is less a sacred right to buy them where they can be bought cheapest? And unquestionably they can be bought cheaper in Africa than in Virginia. He has done all in his power to reduce the whole question of slavery to one of a mere right of property; and as such, how can he oppose the foreign slave trade — how can he refuse that trade in that "property" shall be "perfectly free" — unless he does it as a protection to the home production? And as the home producers will probably not ask the protection, he will be wholly without a ground of opposition.

19. Senator Douglas holds, we know, that a man may rightfully be wiser to-day than he was yesterday — that he may rightfully change when he finds himself wrong. But can we, for that reason, run ahead, and infer that he will make any particular change, of which he, himself, has given no intimation? Can we safely base our action upon any such vague inference? Now, as ever, I wish not to misrepresent Judge Douglas's position, question his motives, or do aught that can be personally offensive to him. Whenever, if ever, he and we can come together on principle so that our cause may have assistance from his great ability, I hope to have interposed no adventitious obstacle. But clearly, he is not now with us — he does not pretend to be — he does not promise ever to be.

20. Our cause, then, must be intrusted to, and conducted by, its own undoubted friends — those whose hands are free, whose hearts are in the work — who do care for the result. Two years ago the Republicans of the nation mustered over

thirteen hundred thousand strong. We did this under the single impulse of resistance to a common danger, with every external circumstance against us. Of strange, discordant, and even hostile elements, we gathered from the four winds, and formed and fought the battle through, under the constant, hot fire of a disciplined, proud, and pampered enemy. Did we brave all then, to falter now? — now, when that same enemy is wavering, dissevered and belligerent? The result is not doubtful. We shall not fail — if we stand firm, we shall not fail. Wise counsels may accelerate, or mistakes delay it, but, sooner or later, the victory is sure to come.

[The foregoing speech was the precursor of the famous Lincoln-Douglas Debates. It furnished the texts for those Debates, and little new matter on any material issue was added by either Lincoln or Douglas. The issues raised in this speech were replied to by Douglas in the first joint debate at Ottawa, Illinois, August 21, 1858, and re-replied to by Lincoln. In order that the reader may gain an idea of the matter and style of the subsequent arguments, the following extracts are appended.]

REPLY BY DOUGLAS

1. Mr. Lincoln says that this Government cannot endure permanently in the same condition in which it was made by its framers — divided into free and slave states. He says that it has existed for about seventy years thus divided, and yet he tells you that it cannot endure permanently on the same principles and in the same relative condition in which our fathers made it. Why can it not exist divided into free and slave states? Washington, Jefferson, Franklin, Madison, Hamilton, Jay, and the great men of that day, made this Government divided into free states and slave states, and left each state perfectly free to do as it pleased on the subject of slavery. Why can it not exist on the same principles on which our

fathers made it? They knew when they framed the Constitution that in a country as wide and broad as this, with such a variety of climate, production, and interest, the people necessarily required different laws and institutions in different localities. They knew that the laws and regulations which would suit the granite hills of New Hampshire would be unsuited to the rice plantations of South Carolina, and they therefore provided that each state should retain its own legislature and its own sovereignty, with the full and complete power to do as it pleased within its own limits, in all that was local and not national. One of the reserved rights of the states, was the right to regulate the relations between master and servant, on the slavery question. . . .

2. We are told by Lincoln that he is utterly opposed to the Dred Scott decision, and will not submit to it, for the reason that he says it deprives the negro of the rights and privileges of citizenship. That is the first and main reason which he assigns for his warfare on the Supreme Court of the United States and its decision. I ask you, are you in favor of conferring upon the negro the rights and privileges of citizenship? Do you desire to strike out of our State Constitution that clause which keeps slaves and free negroes out of the state, and allow the free negroes to flow in, and cover your prairies with black settlements? Do you desire to turn this beautiful state into a free negro colony, in order that when Missouri abolishes slavery she can send one hundred thousand emancipated slaves into Illinois, to become citizens and voters, on an equality with yourselves? If you desire negro citizenship, if you desire to allow them to come into the state and settle with the white man, if you desire them to vote on an equality with yourselves, and to make them eligible to office, to serve on juries, and to adjudge your rights, then support Mr. Lincoln and the Black Republican party, who are in favor of the citizenship of the negro. For one, I am opposed to negro

citizenship in any and every form. I believe this Government was made on the white basis. I believe it was made by white men, for the benefit of white men and their posterity forever, and I am in favor of confining citizenship to white men, men of European birth and descent, instead of conferring it upon negroes, Indians, and other inferior races.

3. Mr. Lincoln, following the example and lead of all the little abolition orators, who go around and lecture in the basements of schools and churches, reads from the Declaration of Independence, that all men were created equal, and then asks, how can you deprive a negro of that equality which God and the Declaration of Independence award to him? He and they maintain that negro equality is guaranteed by the laws of God, and that it is asserted in the Declaration of Independence. If they think so, of course they have a right to say so, and so vote. I do not question Mr. Lincoln's conscientious belief that the negro was made his equal, and hence is his brother; but for my own part, I do not regard the negro as my equal, and positively deny that he is my brother or any kin to me whatever. Lincoln has evidently learned by heart Parson Lovejoy's catechism. He can repeat it as well as Farnsworth, and he is worthy of a medal from Father Giddings and Fred Douglass for his abolitionism. He holds that the negro was born his equal and yours, and that he was endowed with equality by the Almighty, and that no human law can deprive him of these rights which were guaranteed to him by the Supreme Ruler of the universe. Now, I do not believe that the Almighty ever intended the negro to be the equal of the white man. If He did, He has been a long time demonstrating the fact. For thousands of years the negro has been a race upon the earth, and during all that time, in all latitudes and climates, wherever he has wandered or been taken, he has been inferior to the race which he has there met. He belongs to an inferior race, and must always occupy an inferior position.

4. I do not hold that because the negro is our inferior he therefore ought to be a slave. By no means can such a conclusion be drawn from what I have said. On the contrary, I hold that humanity and Christianity both require that the negro shall have and enjoy every right, every privilege, and every immunity consistent with the safety of the society in which he lives. On that point, I presume, there can be no diversity of opinion. You and I are bound to extend to our inferior and dependent beings every right, every privilege, every facility and immunity consistent with the public good. The question then arises, what rights and privileges are consistent with the public good? This is a question which each state and each territory must decide for itself. . . .

5. Now, my friends, if we will only act conscientiously and rigidly upon this great principle of popular sovereignty, which guarantees to each state and territory the right to do as it pleases on all things, local and domestic, instead of asking Congress to interfere, we will continue at peace one with another. Why should Illinois be at war with Missouri, or Kentucky with Ohio, or Virginia with New York, merely because their institutions differ? Our fathers intended that our institutions should differ. They knew that the North and the South, having different climates, productions, and interests, required different institutions. This doctrine of Mr. Lincoln, of uniformity among the institutions of the different states, is a new doctrine, never dreamed of by Washington, Madison, or the framers of this Government. Mr. Lincoln and the Republican party set themselves up as wiser than these men who made this Government, which has flourished for seventy years under the principle of popular sovereignty, recognizing the right of each state to do as it pleased. Under that principle, we have grown from a nation of three or four millions to a nation of about thirty millions of people; we have crossed the Allegheny Mountains and filled up the whole Northwest, turning the

prairie into a garden, and building up churches and schools, thus spreading civilization and Christianity where before there was nothing but savage barbarism. Under that principle we have become, from a feeble nation, the most powerful on the face of the earth; and if we only adhere to that principle, we can go forward increasing in territory, in power, in strength, and in glory, until the Republic of America shall be the North Star that shall guide the friends of freedom throughout the civilized world. And why can we not adhere to the great principle of self-government, upon which our institutions were originally based? I believe that this new doctrine preached by Mr. Lincoln and his party will dissolve the Union if it succeeds. They are trying to array all the Northern states in one body against the South, to excite a sectional war between the free states and the slave states, in order that the one or the other may be driven to the wall.

REJOINDER BY LINCOLN

[Reading from his speech at Peoria, Illinois, of October 16, 1854.]

1. "When Southern people tell us they are no more responsible for the origin of slavery than we, I acknowledge the fact. When it is said that the institution exists, and that it is very difficult to get rid of it in any satisfactory way, I can understand and appreciate the saying. I surely will not blame them for not doing what I should not know how to do myself. If all earthly power were given me, I should not know what to do as to the existing institution. My first impulse would be to free all the slaves, and send them to Liberia — to their own native land. But a moment's reflection would convince me, that whatever of high hope (as I think there is) there may be in this, in the long run, its sudden execution is impossible. If they were all landed there in a day, they would all perish in the next ten

days; and there are not surplus shipping and surplus money enough in the world to carry them there in many times ten days. What then? Free them all, and keep them among us as underlings? Is it quite certain that this betters their condition? I think I would not hold one in slavery at any rate; yet the point is not clear enough to me to denounce people upon. What next? Free them, and make them politically and socially our equals? My own feelings will not admit of this; and if mine would, we well know that those of the great mass of white people will not. Whether this feeling accords with justice and sound judgment, is not the sole question, if, indeed, it is any part of it. A universal feeling, whether well or ill founded, cannot be safely disregarded. We cannot, then, make them equals. It does seem to me that systems of gradual emancipation might be adopted; but for their tardiness in this, I will not undertake to judge our brethren of the South.

2. "When they remind us of their constitutional rights, I acknowledge them, not grudgingly, but fully and fairly; and I would give them any legislation for the reclaiming of their fugitives, which should not, in its stringency, be more likely to carry a free man into slavery than our ordinary criminal laws are to hang an innocent one.

3. "But all this, to my judgment, furnishes no more excuse for permitting slavery to go into our own free territory, than it would for reviving the African slave trade by law. The law which forbids the bringing of slaves *from* Africa, and that which has so long forbid the taking of them *to* Nebraska, can hardly be distinguished on any moral principle; and the repeal of the former could find quite as plausible excuses as that of the latter."

4. Now, Gentlemen, I don't want to read at any greater length, but this is the true complexion of all I have ever said in regard to the institution of slavery and the black race. This is the whole of it, and anything that argues me into his idea of perfect social and political equality with the negro, is but a

specious and fantastic arrangement of words, by which a man can prove a horse-chestnut to be a chestnut horse. I will say here, while upon this subject, that I have no purpose, directly or indirectly, to interfere with the institution of slavery in the states where it exists. I believe I have no lawful right to do so, and I have no inclination to do so. I have no purpose to introduce political and social equality between the white and the black races. There is a physical difference between the two, which, in my judgment, will probably forever forbid their living together upon the footing of perfect equality; and inasmuch as it becomes a necessity that there must be a difference, I, as well as Judge Douglas, am in favor of the race to which I belong having the superior position. I have never said anything to the contrary, but I hold that notwithstanding all this, there is no reason in the world why the negro is not entitled to all the natural rights enumerated in the Declaration of Independence, — the right to life, liberty, and the pursuit of happiness. I hold that he is as much entitled to these as the white man. I agree with Judge Douglas he is not my equal in many respects — certainly not in color, perhaps not in moral or intellectual endowment. But in the right to eat the bread, without the leave of anybody else, which his own hand earns, he is my equal, and the equal of Judge Douglas, and the equal of every living man. . . . Judge Douglas has read from my speech in Springfield, in which I say that "a house divided against itself cannot stand." Does the Judge say it *can* stand? I don't know whether he does or not. The Judge does not seem to be attending to me just now, but I would like to know if it is his opinion that a house divided against itself can stand. If he does think so, then there is a question of veracity, not between him and me, but between the Judge and an authority of a somewhat higher character.

5. Now, my friends, I ask your attention to this matter for the purpose of saying something seriously. I know that the

Judge may readily enough agree with me that the maxim which was put forth by the Saviour, is true, but he may allege that I misapply it; and the Judge has a right to urge that, in my application, I do misapply it, and then I have a right to show that I do not misapply it. When he undertakes to say that because I think this nation, so far as the question of slavery is concerned, will all become one thing or all the other, I am in favor of bringing about a dead uniformity in the various states, in all their institutions, he argues erroneously. The great variety of the local institutions in the states, springing from differences in the soil, differences in the face of the country and in the climate, are bonds of union. They do not make "a house divided against itself," but they make a house united. If they produce in one section of the country what is called for by the wants of another section, and this other section can supply the wants of the first, they are not matters of discord but bonds of union, true bonds of union. But can this question of slavery be considered as among *these* varieties in the institutions of the country? I leave it to you to say whether, in the history of our Government, this institution of slavery has not always failed to be a bond of union, and, on the contrary, been an apple of discord, and an element of division in the house. I ask you to consider whether, so long as the moral constitution of men's minds shall continue to be the same, after this generation and assemblage shall sink into the grave, and another race shall arise, with the same moral and intellectual development we have — whether, if that institution is standing in the same irritating position in which it now is, it will not continue an element of division? If so, then I have a right to say that, in regard to this question, the Union is a house divided against itself; and when the Judge reminds me that I have often said to him that the institution of slavery has existed for eighty years in some states, and yet it does not exist in some others, I agree to the fact, and I account for it by looking at the position in

which our fathers originally placed it, — restricting it from the new territories where it had not gone, and legislating to cut off its source by the abrogation of the slave trade, thus putting the seal of legislation against its spread. The public mind *did* rest in the belief that it was in the course of ultimate extinction. But lately, I think — and in this I charge nothing on the Judge's motives — lately, I think, that he, and those acting with him, have placed that institution on a new basis, which looks to the perpetuity and nationalization of slavery. And while it is placed upon this new basis, I say, and I have said, that I believe we shall not have peace upon the question until the opponents of slavery arrest the further spread of it, and place it where the public mind shall rest in the belief that it is in the course of ultimate extinction; or, on the other hand, that its advocates will push it forward until it shall become alike lawful in all the states, old as well as new, North as well as South. Now, I believe if we could arrest the spread, and place it where Washington, and Jefferson, and Madison placed it, it would be in the course of ultimate extinction, and the public mind would, as for eighty years past, believe that it was in the course of ultimate extinction. The crisis would be past and the institution might be let alone for a hundred years, if it should live so long, in the states where it exists, yet it would be going out of existence in the way best for both the black and the white races. . . .

6. Henry Clay, my beau ideal of a statesman, the man for whom I fought all my humble life — Henry Clay once said of a class of men who would repress all tendencies to liberty and ultimate emancipation, that they must, if they would do this, go back to the era of our Independence, and muzzle the cannon which thunders its annual joyous return; they must blow out the moral lights around us; they must penetrate the human soul and eradicate there the love of liberty; and then, and not till then, could they perpetuate slavery in this country! To my thinking, Judge Douglas is, by his example and vast influence,

doing that very thing in this community, when he says that the negro has nothing in the Declaration of Independence. Henry Clay plainly understood the contrary. Judge Douglas is going back to the era of our Revolution, and, to the extent of his ability, muzzling the cannon which thunders its annual joyous return. When he invites any people, willing to have slavery, to establish it, he is blowing out the moral lights around us. When he says he "cares not whether slavery is voted down or voted up,"— that it is a sacred right of self-government, — he is, in my judgment, penetrating the human soul and eradicating the light of reason and the love of liberty in this American people. And now I will only say that when, by all these means and appliances, Judge Douglas shall succeed in bringing public sentiment to an exact accordance with his own views, when these vast assemblages shall echo back all these sentiments, when they shall come to repeat his views and to avow his principles, and to say all that he says on these mighty questions, — then it needs only the formality of the second Dred Scott decision, which he indorses in advance, to make slavery alike lawful in all the states — old as well as new, North as well as South.

My friends, that ends the chapter. The Judge can take his half hour.

THE SCHOLAR IN A REPUBLIC

WENDELL PHILLIPS

AN ORATION DELIVERED AT THE CENTENNIAL ANNIVERSARY OF THE PHI BETA KAPPA OF HARVARD COLLEGE, JUNE 30, 1881

INTRODUCTION

Wendell Phillips, orator and agitator, was born in Boston, November 29, 1811. He was graduated from Harvard College in 1831, and from the Harvard Law School in 1834. The following year he opened a law office in Boston. In 1837 he married Miss Anne Terry Greene, through whom he became acquainted with William Lloyd Garrison, the abolitionist. His wife was always an invalid, but to her influence Phillips attributed the decisive impulses of his life. Two years prior to his marriage, however, upon seeing Garrison dragged by a mob through the streets of Boston, he had dedicated his life to the antislavery cause. Shortly after his marriage, at a meeting held in Faneuil Hall to denounce the murder at Alton, Illinois, of an abolitionist named Lovejoy, Phillips made the first and most famous of his speeches. Thereafter, public speaking constituted his life work. He had already noted the estrangement of Boston society on account of his abolition sentiments, and this Faneuil Hall speech completed it; but having a competency through his inheritance and that of his wife, he was enabled to give himself up to the promotion of the antislavery cause. He became the recognized orator of the abolitionists. He also delivered lyceum lectures, from which he derived a considerable income, giving his lecture on "The Lost Arts" over two thousand times, and receiving therefor $150,000. After the Civil War, other reforms (all referred to in his speech in this volume) claimed his attention, his attitude being that of the agitator to the end. He died February 2, 1884.

It is perhaps even yet too early to get a proper historical perspective of Phillips's life. We can truly appreciate his methods and influence only by remembering that he was primarily and solely an agitator. Whereas Lincoln was conservative and constructive, Phillips was radical and destructive. In Lincoln we recognize the genius of constructive statesmanship, based on the past and present, but building for the future; Phillips was a child of genius, not a practical statesman. He was by nature and cultivation a fighter and an iconoclast. Poise, perspective, a just estimate of men and events are conspicuously absent in his speeches. His philosophy of our government was: Educate public opinion through agitation against moral and political wrongs, and trust the people to do the rest. The antislavery agitation furnished Phillips a field for the exercise of his peculiar talents. Once grant that man could not rightly hold property in man, and the intellectual part of the debate was won; the rest was purely a moral appeal, and herein Phillips was master. Hence it was that other questions, such as the currency, labor, and suffrage problems, which he essayed to deal with after the war, — questions which he showed no signs of having carefully studied, — did not so readily lend themselves to settlement by his methods. There is, therefore, all the more praise for his oratory that he was listened to eagerly to the end. Throw away half of his contention, and there is usually enough left to startle the reader into a new train of thought. How much more, then, must his words have startled the hearer, under the spell of Phillips's delivery!

In the history of American oratory the career of Phillips is unique. With most men in modern times public speaking is merely incident to their careers. During the fifty years of Phillips's active life, oratory was his sole profession. Presumably the fifty-seven orations and addresses contained in the two-volume series of his works, some of the lectures delivered thousands of times, represent a far from complete collection of the speeches made by him, — addresses on less important occasions and of a more extemporaneous nature. In an age of powerful orators, North and South, Phillips was distinctively the orator of his time. In ultimate influence he was excelled by Webster, so that in the general estimate we must concede that Webster was the greater orator; but in the immediate influence over an audience he excelled Webster, — particularly in view of the fact that many of Phillips's most successful speeches

were addressed to hostile listeners. And since he ordinarily addressed fairly intelligent audiences, it must be inferred that his wonderful power was due to subject-matter and style, as well as to his manner of delivery.

In delivery, Phillips set the fashion for the direct, conversational style. Though perhaps not possessing the power of mere weight that Webster wielded, he improved on Webster's occasional tendency to a heavy and pompous style. Tall, lithe, and graceful, — resembling, by actual measurement, the Greek Apollo, — Phillips's manner of speaking was, according to all his contemporaries, that of high-bred conversationalism. A contemporary and a competent critic, Thomas Wentworth Higginson, says of Phillips's style:

"The keynote to the oratory of Wendell Phillips lay in this: that it was essentially conversational — the conversational raised to its highest power. Perhaps no orator ever spoke with so little apparent effort or began so entirely on the plane of his average hearers. It was as if he simply repeated, in a little louder tone, what he had just been saying to some familiar friend at his elbow. The effect was absolutely disarming. Those accustomed to spread-eagle eloquence felt, perhaps, a slight sense of disappointment. But he held them by his very quietness. The poise of his manly figure, the easy grace of his attitude, the thrilling modulation of his perfectly trained voice, the dignity of his gesture, the keen penetration of his eye, all aided to keep his hearers in hand. The colloquialism was never relaxed; but it was familiarity without loss of keeping. . . . Then, as the argument went on, the voice grew deeper, the action more animated, and the sentences came in a long, sonorous swell, still easy and graceful, but powerful as the soft stretching of a tiger's paw. He could be terse as Carlyle, or his periods could be prolonged and cumulative as those of Choate or Evarts: no matter; they carried in either case the same charm."

The Reverend Carlos Martyn, in his biography of Phillips, says:

"It was this colloquial quality, infinitely varied yet without interruption, which made him the least tedious of speakers. You heard him an hour, two hours, three hours — and were unconscious of the lapse of time. Indeed, he never seemed to be making a speech. It was no oration for the crown, with drum and trumpet declamation — only a gentleman talking. He had exactly the manner for an agitator, it was so entirely without agitation. This

repose, fire under snow, enabled him to husband all his electricity and flash it out to magnetize the audience."

Phillips's style of delivery, as was said, set a fashion. It taught the value of high-bred conversationalism. Bombast and artificiality, rant and roar went out of date, and the era of trained naturalism began. In this regard Phillips made every speaker and every audience his debtor.

This conversational style also characterizes his rhetoric and diction. His sentences have the variety, the brevity, and the directness of ordinary conversation. While the subject-matter of many of his speeches has to-day only a historical interest, and though they contain many arguments and sentiments utterly at variance with our beliefs and with subsequent events, the student of oratory will find — barring the extreme invective — no better or safer models of oratorical composition. The leading qualities of his style are his colloquial diction, his strength and energy, his invective, and his striking phrases.

Strength and energy were of course necessary for his work as an agitator. Though frequently mistaken, he is never knock-kneed. He strikes hard and often. He does not reserve his force for a periodic or final climax, but oftentimes every sentence is a climax. His thought, as distinguished from what has been described as his manner of delivery, is in constant motion. In many of his speeches there is no orderly arrangement in argument or exposition, and yet the thought is always clear and never lags. His is not the "stately flow of eloquence"; the main thought current is constantly reënforced by unseen springs, deflected by eddies and side currents, "boiling and turmoiling," like the Niagara rapids.

By common acknowledgment Phillips stands at the head of all orators, ancient or modern, in his use of invective. He hits right and left, sometimes his friends as well as his foes. Webster, Choate, Everett, Seward, Kossuth, and even Lincoln are among the men whom he attacked. His aforementioned maiden speech, delivered at the age of twenty-six, illustrates his power in invective. The attorney-general of the commonwealth had spoken in defense of the murder by the mob. Two sentences in Phillips's reply are as follows:

"Sir, when I heard the gentleman lay down principles which place the murderers of Alton side by side with Otis and Hancock, with Quincy and Adams, I thought those pictured lips [pointing

to the portraits in the hall] would have broken into voice to rebuke the recreant American — the slanderer of the dead. . . . Sir, for the sentiments he has uttered, on soil consecrated by the prayers of Puritans and the blood of patriots, the earth should have yawned and swallowed him up."

Take this example from his speech on "Public Opinion," which also includes his reasons for the use of invective:

"Men blame us for the bitterness of our language and the personality of our attacks. It results from our position. The great mass of the people can never be made to stay and argue a long question. They must be made to feel it, through the hides of their idols. When you have launched your spear into the rhinoceros hide of a Webster or Benton, every Whig and Democrat feels it. See to it, when Nature has provided you a monster like Webster, that you exhibit him — himself a whole menagerie — through the country. . . . No man, since the age of Luther, has ever held in his hand, so palpably, the destinies and character of a mighty people, as did Webster on the seventh of March. He stood like the Hebrew prophet betwixt the living and the dead. . . . He gave himself up into the lap of the Delilah of slavery, for the mere promise of a nomination, and the greatest hour of the age was bartered away. It is not often that Providence permits the eyes of twenty millions of thinking people to behold the fall of another Lucifer, from the very battlements of Heaven, down into that 'lower deep of the lowest deep' of hell."

Again, he characterizes Webster as "Sir Pertinax McSycophant," styles Mr. Choate a "political mountebank," and alludes to the "cuckoo lips of Edward Everett." In his lecture on "Idols," after making various nations eulogize their great lawyers, he concludes, "Then New England shouts, 'This is Choate, who made it safe to murder, and of whose health thieves asked before they began to steal!'"

Contrasted with the calmness and attractiveness of Phillips's manner, imagine the effect as these thunderbolts were hurled. Keen and graceful as a Damascus blade, his invective, it has been well said, lends new meaning to the term "philippic." The *Richmond Inquirer*, speaking of him before the Civil War, said, "Wendell Phillips is an infernal machine set to music."

His speeches are full of striking phrases. Prior examples are illustrative. Following are a few others, selected almost at random:

"The man who launches a sound argument, who sets on two feet a startling fact, and bids it travel from Maine to Georgia, is just as certain that in the end he will change the government, as if, to destroy the Capitol, he had placed gunpowder under the Senate Chamber."

"The race is rich enough to afford to do without the greatest intellects God ever let the Devil buy. Stranded along the past, there are a great many dried mummies of dead intellects, which the race found too heavy to drag forward."

"We may be crazy. Would to God he would make us all crazy enough to forget for one moment the cold deductions of intellect, and let these hearts of ours beat, beat, beat, under the promptings of a common humanity."

"The manna of popular liberty must be gathered each day, or it is rotten. The living sap of to-day outgrows the dead rind of yesterday."

"Liberty, even in defeat, knows nothing but success."

"Opinion is not truth, but only truth filtered through the standpoint, the disposition, or the mood of the spectator."

"Marble, gold, and granite are not real; the only reality is an idea."

To recapitulate: Phillips was the orator of agitation, and from this viewpoint he must be judged. He set forces at work, but could not direct their future course. His right to be called a great orator must therefore rest on the immediate influence he exerted. And such tremendous power, according to the uniform testimony of his contemporaries, few orators ever wielded. His oratorical genius met the demands of a great national crisis, and as the orator of that crisis he stands without a model and without a peer.

Often impatient and mistaken in judgment, Phillips was nevertheless a man terribly in earnest. To the cause of abolition he sacrificed his social position, his early friendships, and his professional career; and he deserves the credit the world ever pays to the reformer and the martyr.

The oration in this volume, "The Scholar in a Republic," was the last of Phillips's more notable public addresses. It is sufficiently scholarly to fit the occasion, yet withal thoroughly characteristic. The doctrine of agitation is preached, and by way of illustration of the scholar's remissness in this work of agitation, almost every

subject with which Phillips dealt during his career is touched upon. Contrary to his usual custom, this address was carefully written out in advance and committed to memory. Its wealth of allusion and illustration justifies Curtis's description of Phillips's style as "sparkling with richness of illustration, with apt allusion and historic parallel, with wit and pitiless invective." Colonel Higginson, who was in the audience when it was delivered, says that Phillips "never seemed more at his ease, more colloquial, more thoroughly extemporaneous than in this address. It was, in some respects, the most remarkable effort of his life. . . . He held an unwilling audience spellbound, while bating absolutely nothing of radicalism."

1. MR. PRESIDENT AND BROTHERS OF THE Φ B K: A hundred years ago our society was planted, — a slip from the older root in Virginia. The parent seed, tradition says, was French, — part of that conspiracy for free speech whose leaders prated democracy in the *salons*, while they carefully held on to the fleshpots of society by crouching low to kings and their mistresses, and whose final object of assault was Christianity itself. Voltaire gave the watchword, "*Écrasez l'infame*," — Crush the wretch. No matter how much or how little truth there may be in the tradition; no matter what was the origin or what was the object of our society, if it had any special one, — both are long since forgotten. We stand now simply a representative of free, brave, American scholarship. I emphasize *American* scholarship.

2. In one of those glowing, and as yet unequaled pictures which Everett drew for us, here and elsewhere, of Revolutionary scenes, I remember his saying that the independence we then won, if taken in its literal and narrow sense, was of no interest and little value; but, construed in the fullness of its real meaning, it bound us to a distinctive American character and purpose, to a keen sense of large responsibility, and to a generous self-devotion. It is under the shadow of such unquestioned authority that I use the term "American scholarship."

3. Our society was, no doubt, to some extent, a protest against the somber theology of New England, where, a hundred years ago, the atmosphere was black with sermons, and where religious speculation beat uselessly against the narrowest limits.

4. The first generation of Puritans — though Lowell does let Cromwell call them "a small colony of pinched fanatics" — included some men, indeed not a few, worthy to walk close to Roger Williams and Sir Harry Vane, — the two men deepest in thought and bravest in speech of all who spoke English in their day, and equal to any in practical statesmanship. Sir Harry Vane, in my judgment the noblest human being who ever walked the streets of yonder city, — I do not forget Franklin or Sam Adams, Washington or Lafayette, Garrison or John Brown, — but Vane dwells an arrow's flight above them all, and his touch consecrated the continent to measureless toleration of opinion and entire equality of rights. We are told we can find in Plato "all the intellectual life of Europe for two thousand years"; so you can find in Vane the pure gold of two hundred and fifty years of American civilization, with no particle of its dross. Plato would have welcomed him to the Academy, and Fénelon kneeled with him at the altar. He made Somers and John Marshall possible; like Carnot, he organized victory; and Milton pales before him in the stainlessness of his record. He stands among English statesmen preëminently the representative, in practice and in theory, of serene faith in the safety of trusting truth wholly to her own defense. For other men we walk backward, and throw over their memories the mantle of charity and excuse, saying reverently, "Remember the temptation and the age." But Vane's ermine has no stain; no act of his needs explanation or apology; and in thought he stands abreast of our age, — like pure intellect, belongs to all time.

5. Carlyle said, in years when his words were worth heeding, "Young men, close your Byron, and open your Goethe."

If my counsel had weight in these halls, I should say, "Young men, close your John Winthrop, and open Sir Harry Vane." The generation that knew Vane gave to our Alma Mater for a seal the simple pledge,— *Veritas.*

6. But the narrowness and poverty of colonial life soon starved out this element. Harvard was rededicated *Christo et Ecclesiae;* and up to the middle of the last century, free thought in religion meant Charles Chauncey and the Brattle Street Church protest, while free thought hardly existed anywhere else. But a single generation changed all this. A hundred years ago there were pulpits that led the popular movement; while outside of religion, and of what called itself literature, industry and a jealous sense of personal freedom obeyed, in their rapid growth, the law of their natures. English common sense and those municipal institutions born of the common law, and which had saved and sheltered it, grew inevitably too large for the eggshell of English dependence, and allowed it to drop off as naturally as the chick does when she is ready. There was no change of law, nothing that could properly be called revolution, only noiseless growth, the seed bursting into flower, infancy becoming manhood. It was life, in its omnipotence, rending whatever dead matter confined it. So have I seen the tiny weeds of a luxuriant Italian spring upheave the colossal foundations of the Cæsars' palace, and leave it a mass of ruins.

7. But when the veil was withdrawn, what stood revealed astonished the world. It showed the undreamt power, the serene strength of simple manhood, free from the burden and restraint of absurd institutions in Church and State. The grandeur of this new Western constellation gave courage to Europe, resulting in the French Revolution, the greatest, the most unmixed, the most unstained and wholly perfect blessing Europe has had in modern times, unless we may possibly except the Reformation and the invention of printing.

8. What precise effect that giant wave had when it struck our shore we can only guess. History is, for the most part, an idle amusement, the daydream of pedants and triflers. The details of events, the actors' motives, and their relation to each other are buried with them. How impossible to learn the exact truth of what took place yesterday under your next neighbor's roof! Yet we complacently argue and speculate about matters a thousand miles off, and a thousand years ago, as if we knew them. When I was a student here, my favorite study was history. The world and affairs have shown me that one half of history is loose conjecture, and much of the rest is the writer's opinion. But most men see facts, not with their eyes, but with their prejudices. Any one familiar with courts will testify how rare it is for an honest man to give a perfectly correct account of a transaction. We are tempted to see facts as we think they ought to be, or wish they were. And yet journals are the favorite original sources of history. Tremble, my good friend, if your sixpenny neighbor keeps a journal. "It adds a new terror to death." You shall go down to your children not in your fair lineaments and proportions, but with the smirks, elbows, and angles he sees you with. Journals are excellent to record the depth of the last snow and the date when the mayflower opens; but when you come to men's motives and characters, journals are the magnets that get near the chronometer of history and make all its records worthless. You can count on the fingers of your two hands all the robust minds that ever kept journals. Only milksops and fribbles indulge in that amusement, except now and then a respectable mediocrity. One such journal nightmares New England annals, emptied into history by respectable middle-aged gentlemen who fancy that narrowness and spleen, like poor wine, mellow into truth when they get to be a century old. But you might as well cite the *Daily Advertiser* of 1850 as authority on one of Garrison's actions.

9. And, after all, of what value are these minutiæ? Whether Luther's zeal was partly kindled by lack of gain from the sale of indulgences, whether Boston rebels were half smugglers and half patriots, what matters it now? Enough that he meant to wrench the gag from Europe's lips, and that they were content to suffer keenly, that we might have an untrammeled career. We can only hope to discover the great currents and massive forces which have shaped our lives; all else is trying to solve a problem of whose elements we know nothing. As the poet-historian of the last generation says so plaintively, "History comes like a beggarly gleaner in the field, after Death, the great lord of the domain, has gathered the harvest, and lodged it in his garner, which no man may open."

10. But we may safely infer that French debate and experience broadened and encouraged our fathers. To that we undoubtedly owe, in some degree, the theoretical perfection, ingrafted on English practical sense and old forms, which marks the foundation of our republic. English civil life, up to that time, grew largely out of custom, rested almost wholly on precedent. For our model there was no authority in the record, no precedent on the file; unless you find it, perhaps, partially, in that Long Parliament bill with which Sir Harry Vane would have outgeneraled Cromwell, if the shameless soldier had not crushed it with his muskets.

11. Standing on Saxon foundations, and inspired, perhaps, in some degree by Latin example, we have done what no race, no nation, no age, had before dared even to try. We have founded a republic on the unlimited suffrage of the millions. We have actually worked out the problem that man, as God created him, may be trusted with self-government. We have shown the world that a church without a bishop, and a state without a king, is an actual, real, everyday possibility. Look back over the history of the race; where will you find a chapter that precedes us in that achievement? Greece had her

republics, but they were the republics of a few freemen and subjects and many slaves; and "the battle of Marathon was fought by slaves, unchained from the doorposts of their masters' houses." Italy had her republics: they were the republics of wealth and skill and family, limited and aristocratic. The Swiss republics were groups of cousins. Holland had her republic, a republic of guilds and landholders, trusting the helm of state to property and education. And all these, which at their best held but a million or two within their narrow limits, have gone down in the ocean of time.

12. A hundred years ago our fathers announced this sublime, and, as it seemed then, foolhardy declaration, — that God intended all men to be free and equal; all men, without restriction, without qualification, without limit. A hundred years have rolled away since that venturous declaration; and to-day, with a territory that joins ocean to ocean, with fifty millions of people, with two wars behind her, with the grand achievement of having grappled with the fearful disease that threatened her central life and broken four millions of fetters, the great Republic, stronger than ever, launches into the second century of her existence. The history of the world has no such chapter in its breadth, its depth, its significance, or its bearing on future history.

13. What Wycliffe did for religion, Jefferson and Sam Adams did for the state, — they trusted it to the people. He gave the masses the Bible, the right to think. Jefferson and Sam Adams gave them the ballot, the right to rule. His intrepid advance contemplated theirs as its natural, inevitable result. Their serene faith completed the gift which the Anglo-Saxon race makes to humanity. We have not only established a new measure of the possibilities of the race; we have laid on strength, wisdom, and skill a new responsibility. Grant that each man's relations to God and his neighbor are exclusively his own concern, and that he is entitled to all the aid that

will make him the best judge of these relations; that the people are the source of all power, and their measureless capacity the lever of all progress; their sense of right the court of final appeal in civil affairs; the institutions they create the only ones any power has a right to impose; that the attempt of one class to prescribe the law, the religion, the morals, or the trade of another is both unjust and harmful,—and the Wycliffe and Jefferson of history mean this if they mean anything,—then, when in 1867 Parliament doubled the English franchise, Robert Lowe was right in affirming, amid the cheers of the House, "Now the first interest and duty of every Englishman is to educate the masses—our masters." Then, whoever sees farther than his neighbor is that neighbor's servant to lift him to such higher level. Then, power, ability, influence, character, virtue, are only trusts with which to serve our time.

14. We all agree in the duty of scholars to help those less favored in life, and that this duty of scholars to educate the mass is still more imperative in a republic, since a republic trusts the state wholly to the intelligence and moral sense of the people. The experience of the last forty years shows every man that law has no atom of strength, either in Boston or New Orleans, unless, and only so far as, public opinion indorses it, and that your life, goods, and good name rest on the moral sense, self-respect, and law-abiding mood of the men that walk the streets, and hardly a whit on the provisions of the statute book. Come, any one of you, outside of the ranks of popular men, and you will not fail to find it so. Easy men dream that we live under a government of law. Absurd mistake! we live under a government of men and newspapers. Your first attempt to stem dominant and keenly cherished opinions will reveal this to you.

15. But what is education? Of course it is not book learning. Book learning does not make five per cent of that mass

of common sense that "runs" the world, transacts its business, secures its progress, trebles its power over nature, works out in the long run a rough average justice, wears away the world's restraints, and lifts off its burdens. The ideal Yankee, who "has more brains in his hand than others have in their skulls," is not a scholar; and two thirds of the inventions that enable France to double the world's sunshine, and make Old and New England the workshops of the world, did not come from colleges or from minds trained in the schools of science, but struggled up, forcing their way against giant obstacles, from the irrepressible instinct of untrained natural power. Her workshops, not her colleges, made England, for a while, the mistress of the world; and the hardest job her workman had was to make Oxford willing he should work his wonders.

16. So of moral gains. As shrewd an observer as Governor Marcy, of New York, often said he cared nothing for the whole press of the seaboard, representing wealth and education (he meant book learning), if it set itself against the instincts of the people. Lord Brougham, in a remarkable comment on the life of Romilly, enlarges on the fact that the great reformer of the penal law found all the legislative and all the judicial power of England, its colleges and its bar, marshaled against him, and owed his success, *as all such reforms do*, says his lordship, to public meetings and popular instinct. It would be no exaggeration to say that government itself began in usurpation, in the feudalism of the soldier and the bigotry of the priest; that liberty and civilization are only fragments of rights wrung from the strong hands of wealth and book learning. Almost all the great truths relating to society were not the result of scholarly meditation, "hiving up wisdom with each curious year," but have been first heard in the solemn protests of martyred patriotism and the loud cries of crushed and starving labor. When common sense and the common

people have stereotyped a principle into a statute, then bookmen come to explain how it was discovered and on what ground it rests. The world makes history, and scholars write it, — one half truly and the other half as their prejudices blur and distort it.

17. New England learned more of the principles of toleration from a lyceum committee doubting the dicta of editors and bishops when they forbade it to put Theodore Parker on its platform; more from a debate whether the antislavery cause should be so far countenanced as to invite one of its advocates to lecture; from Sumner and Emerson, George William Curtis and Edward Whipple, refusing to speak unless a negro could buy his way into their halls as freely as any other, — New England has learned more from these lessons than she has or could have done from all the treatises on free printing from Milton and Roger Williams through Locke down to Stuart Mill.

18. Selden, the profoundest scholar of his day, affirmed, "No man is wiser for his learning"; and that was only an echo of the Saxon proverb, "No fool is a perfect fool until he learns Latin." Bancroft says of our fathers, that "the wildest theories of the human reason were reduced to practice by a community so humble that no statesman condescended to notice it, and a legislation without precedent was produced offhand by the instincts of the people." And Wordsworth testifies, that, while German schools might well blush for their subserviency —

> A few strong instincts and a few plain rules,
> Among the herdsmen of the Alps, have wrought
> More for mankind at this unhappy day
> Than all the pride of intellect and thought.

19. Wycliffe was, no doubt, a learned man. But the learning of his day would have burned him, had it dared, as it did burn his dead body afterwards. Luther and Melanchthon were

scholars, but they were repudiated by the scholarship of their time, which followed Erasmus, trying "all his life to tread on eggs without breaking them"; he who proclaimed that "peaceful error was better than tempestuous truth." What would college-graduate Seward weigh, in any scale, against Lincoln, bred in affairs?

20. Hence, I do not think the greatest things have been done for the world by its bookmen. Education is not the chips of arithmetic and grammar, — nouns, verbs, and the multiplication table; neither is it that last year's almanac of dates, or series of lies agreed upon, which we so often mistake for history. Education is not Greek and Latin and the air pump. Still, I rate at its full value the training we get in these walls. Though what we actually carry away is little enough, we do get some training of our powers, as the gymnast or the fencer does of his muscles; we go hence also with such general knowledge of what mankind has agreed to consider proved and settled, that we know where to reach for the weapon when we need it.

21. I have often thought the motto prefixed to his college library catalogue by the father of the late Professor Peirce, — Professor Peirce, the largest natural genius, the man of the deepest reach and firmest grasp and widest sympathy, that God has given to Harvard in our day, whose presence made you the loftiest peak and farthest outpost of more than mere scientific thought, the magnet who, with his twin, Agassiz, made Harvard for forty years the intellectual Mecca of forty states, — his father's catalogue bore for a motto, *Scire ubi aliquid invenias magna pars eruditionis est;* and that always seemed to me to gauge very nearly all we acquired at college, except facility in the use of our powers. Our influence in the community does not really spring from superior attainments, but from this thorough training of faculties, and more even, perhaps, from the deference men accord to us.

22. Gibbon says we have two educations, — one from teachers, and the other we give ourselves. This last is the real and only education of the masses, — one gotten from life, from affairs, from earning one's bread; necessity, the mother of invention; responsibility, that teaches prudence, and inspires respect for right. Mark the critic out of office; how reckless in assertion, how careless of consequences; and then the caution, forethought, and fair play of the same man charged with administration. See that young, thoughtless wife suddenly widowed; how wary and skillful, what ingenuity in guarding her child and saving his rights! Any one who studied Europe forty or fifty years ago could not but have marked the level of talk there, far below that of our masses. It was of crops and rents, markets and marriages, scandal and fun. Watch men here, and how often you listen to the keenest discussions of right and wrong, this leader's honesty, that party's justice, the fairness of this law, the impolicy of that measure, — lofty, broad topics, training morals, widening views. Niebuhr said of Italy, sixty years ago, "No one feels himself a citizen. Not only are the people destitute of hope, but they have not even wishes touching the world's affairs; and hence all the springs of great and noble thoughts are choked up."

23. In this sense the Fremont campaign of 1856 taught Americans more than a hundred colleges; and John Brown's pulpit at Harper's Ferry was equal to any ten thousand ordinary chairs. God lifted a million of hearts to his gibbet, as the Roman cross lifted a world to itself in that divine sacrifice of two thousand years ago. As much as statesmanship had taught in our previous eighty years, that one week of intellectual watching and weighing and dividing truth taught twenty millions of people. Yet how little, brothers, can we claim for bookmen in that uprising and growth of 1856! And while the first of American scholars could hardly find in the rich vocabulary of Saxon scorn words enough to express, amid the plaudits of

his class, his loathing and contempt for John Brown, Europe thrilled to him as proof that our institutions had not lost all their native and distinctive life. She had grown tired of our parrot note and cold moonlight reflection of older civilizations. Lansdowne and Brougham could confess to Sumner that they had never read a page of their contemporary, Daniel Webster; and you spoke to vacant eyes when you named Prescott, fifty years ago, to average Europeans; while Vienna asked, with careless indifference, "Seward, who is he?" But long before our ranks marched up State Street to the John Brown song, the banks of the Seine and of the Danube hailed the new life which had given us another and nobler Washington. Lowell foresaw him when, forty years ago, he sang of, —

Truth forever on the scaffold, wrong forever on the throne;
Yet that scaffold sways the future, and behind the dim unknown
Standeth God, within the shadow, keeping watch above His own.

And yet the bookmen, as a class, have not yet acknowledged him.

24. It is here that letters betray their lack of distinctive American character. Fifty millions of men God gives us to mold; burning questions, keen debate, great interests trying to vindicate their right to be, sad wrongs brought to the bar of public judgment, — these are the people's schools. Timid scholarship either shrinks from sharing in these agitations, or denounces them as vulgar and dangerous interference by incompetent hands with matters above them. A chronic distrust of the people pervades the book-educated class of the North; they shrink from that free speech which is God's normal school for educating men, throwing upon them the grave responsibility of deciding great questions, and so lifting them to a higher level of intellectual and moral life. Trust the people — the wise and the ignorant, the good and the bad — with the gravest questions, and in the end you educate the race. At the same time you secure, not perfect institutions, not necessarily good

ones, but the best institutions possible while human nature is the basis and the only material to build with. Men are educated and the State uplifted by allowing all — every one — to broach all their mistakes and advocate all their errors. The community that will not protect its most ignorant and unpopular member in the free utterance of his opinions, no matter how false or hateful, is only a gang of slaves!

25. Anacharsis went into the Archon's court at Athens, heard a case argued by the great men of that city, and saw the vote by five hundred men. Walking in the streets, some one asked him, "What do you think of Athenian liberty?" "I think," said he, "wise men argue cases, and fools decide them." Just what that timid scholar, two thousand years ago, said in the streets of Athens, that which calls itself scholarship here says to-day of popular agitation, — that it lets wise men argue questions and fools decide them. But that Athens, where fools decided the gravest questions of policy and of right and wrong, where property you had gathered wearily to-day might be wrung from you by the caprice of the mob to-morrow, — that very Athens probably secured, for its era, the greatest amount of human happiness and nobleness, invented art, and sounded for us the depths of philosophy. God lent to it the largest intellects, and it flashes to-day the torch that gilds yet the mountain peaks of the Old World. While Egypt, the hunker conservative of antiquity, where nobody dared to differ from the priest or to be wiser than his grandfather; where men pretended to be alive, though swaddled in the graveclothes of creed and custom as close as their mummies were in linen, — that Egypt is hid in the tomb it inhabited, and the intellect Athens has trained for us digs to-day those ashes to find out how buried and forgotten hunkerism lived and acted.

26. I knew a signal instance of this disease of scholar's distrust, and the cure was as remarkable. In boyhood and early

life I was honored with the friendship of Lothrop Motley. He grew up in the thin air of Boston provincialism, and pined on such weak diet. I remember sitting with him once in the State-house when he was a member of our legislature. With biting words and a keen crayon he sketched the ludicrous points in the minds and persons of his fellow-members, and tearing up the pictures, said scornfully, "What can become of a country with such fellows as these making its laws? No safe investments; your good name lied away any hour, and little worth keeping if it were not." In vain I combated the folly. He went to Europe; spent four or five years. I met him the day he landed on his return. As if our laughing talk in the State-house had that moment ended, he took my hand with the sudden exclamation, "You were all right; I was all wrong! It *is* a country worth dying for; better still, worth living and working for, to make it all it can be!" Europe made him one of the most American of all Americans. Some five years later, when he sounded the bugle note in his letter to the London *Times*, some critics who knew his early mood, but not its change, suspected there might be a taint of ambition in what they thought so sudden a conversion. I could testify that the mood was five years old, — years before the slightest shadow of political expectation had dusked the clear mirror of his scholar life.

27. This distrust shows itself in the growing dislike of universal suffrage, and the efforts to destroy it made of late by all our easy classes. The white South hates universal suffrage; the so-called North distrusts it. Journal and college, social-science convention and pulpit, discuss the propriety of restraining it. Timid scholars tell their dread of it. Carlyle, that bundle of sour prejudices, flouts universal suffrage with a blasphemy that almost equals its ignorance. See his words: "Democracy will prevail when men believe the vote of Judas as good as that of Jesus Christ." No democracy ever claimed that the vote of

ignorance and crime was as good in any sense as that of wisdom and virtue. It only asserts that crime and ignorance have the same right to vote that virtue has. Only by allowing that right, and so appealing to their sense of justice, and throwing upon them the burden of their full responsibility, can we hope ever to raise crime and ignorance to the level of self-respect. The right to choose your governor rests on precisely the same foundation as the right to choose your religion; and no more arrogant or ignorant arraignment of all that is noble in the civil and religious Europe of the last five hundred years ever came from the triple crown on the Seven Hills than this sneer of the bigot Scotsman. Protestantism holds up its hands in holy horror, and tells us that the Pope scoops out the brains of his churchmen, saying, "I'll think for you; you need only obey." But the danger is, you meet such popes far away from the Seven Hills; and it is sometimes difficult at first to recognize them, for they do not by any means always wear the triple crown.

28. Evarts and his committee, appointed to inquire why the New York City government is a failure, were not wise enough, or did not dare, to point out the real cause, — the tyranny of that tool of the demagogue, the corner grogshop; but they advised taking away the ballot from the poor citizen. But this provision would not reach the evil. Corruption does not so much rot the masses; it poisons Congress. *Crédit Mobilier* and money rings are not housed under thatched roofs; they flaunt at the Capitol. As usual in chemistry, the scum floats uppermost. The railway king disdained canvassing for voters: "It is cheaper," he said, "to buy legislatures."

29. It is not the masses who have most disgraced our political annals. I have seen many mobs between the seaboard and the Mississippi. I never saw or heard of any but well-dressed mobs, assembled and countenanced, if not always led in person, by respectability and what called itself education.

That unrivaled scholar, the first and greatest New England ever lent to Congress, signaled his advent by quoting the original Greek of the New Testament in support of slavery, and offering to shoulder his musket in its defense; and forty years later the last professor who went to quicken and lift the moral mood of those halls is found advising a plain, blunt, honest witness to forge and lie, that this scholarly reputation might be saved from wreck. Singular comment on Landor's sneer, that there is a spice of the scoundrel in most of our literary men. But no exacting level of property qualification for a vote would have saved those stains. In those cases Judas did not come from the unlearned class.

30. Grown gray over history, Macaulay prophesied twenty years ago that soon in these States the poor, worse than another inroad of Goths and Vandals, would begin a general plunder of the rich. It is enough to say that our national funds sell as well in Europe as English consols; and the universal-suffrage Union can borrow money as cheaply as Great Britain, ruled, one half by Tories, and the other half by men not certain that they dare call themselves Whigs. Some men affected to scoff at democracy as no sound basis for national debt, doubting the payment of ours. Europe not only wonders at its rapid payment, but the only taint of fraud that touches even the hem of our garment is the fraud of the capitalist cunningly adding to its burdens, and increasing unfairly the value of his bonds; not the first hint from the people of repudiating an iota of its unjust additions.

31. Yet the poor and the unlearned class is the one they propose to punish by disfranchisement. No wonder the humbler class looks on the whole scene with alarm. They see their dearest right in peril. When the easy class conspires to steal, what wonder the humbler class draws together to defend itself? True, universal suffrage is a terrible power; and with all the great cities brought into subjection to the dangerous classes

by grog, and Congress sitting to register the decrees of capital, both sides may well dread the next move. Experience proves that popular governments are the best protectors of life and property. But suppose they were not, Bancroft allows that "the fears of one class are no measure of the rights of another."

32. Suppose that universal suffrage endangered peace and threatened property. There is something more valuable than wealth, there is something more sacred than peace.. As Humboldt says, "The finest fruit earth holds up to its Maker is a man." To ripen, lift, and educate a man is the first duty. Trade, law, learning, science, and religion are only the scaffolding wherewith to build a man. Despotism looks down into the poor man's cradle, and knows it can crush resistance and curb ill will. Democracy sees the ballot in that baby hand; and selfishness bids her put integrity on one side of those baby footsteps and intelligence on the other, lest her own hearth be in peril. Thank God for His method of taking bonds of wealth and culture to share all their blessings with the humblest soul He gives to their keeping! The American should cherish as serene a faith as his fathers had. Instead of seeking a coward safety by battening down the hatches and putting men back into chains, he should recognize that God places him in this peril that he may work out a noble security by concentrating all moral forces to lift this weak, rotting, and dangerous mass into sunlight and health. The fathers touched their highest level when, with stout-hearted and serene faith, they trusted God that it was safe to leave men with all the rights he gave them. Let us be worthy of their blood, and save this sheet anchor of the race,—universal suffrage,—God's church, God's school, God's method of gently binding men into commonwealths in order that they may at last melt into brothers.

33. I urge on college-bred men, that, as a class, they fail in republican duty when they allow others to lead in the agitation

of the great social questions which stir and educate the age. Agitation is an old word with a new meaning. Sir Robert Peel, the first English leader who felt himself its tool, defined it to be "marshaling the conscience of a nation to mold its laws." Its means are reason and argument, — no appeal to arms. Wait patiently for the growth of public opinion. That secured, then every step taken is taken forever. An abuse once removed never reappears in history. The freer a nation becomes, the more utterly democratic in its form, the more need of this outside agitation. Parties and sects laden with the burden of securing their own success cannot afford to risk new ideas. "Predominant opinions," said Disraeli, "are the opinions of a class that is vanishing." The agitator must stand outside of organizations, with no bread to earn, no candidate to elect, no party to save, no object but truth, — to tear a question open and riddle it with light.

34. In all modern constitutional governments, agitation is the only peaceful method of progress. Wilberforce and Clarkson, Rowland Hill and Romilly, Cobden and John Bright, Garrison and O'Connell, have been the master spirits in this new form of crusade. Rarely in this country have scholarly men joined, as a class, in these great popular schools, in these social movements which make the great interests of society "crash and jostle against each other like frigates in a storm."

35. It is not so much that the people need us, or will feel any lack from our absence. They can do without us. By sovereign and superabundant strength they can crush their way through all obstacles.

> They will march prospering, — not through our presence;
> Songs will inspirit them, — not from our lyre;
> Deeds will be done, — while we boast our quiescence,
> Still bidding crouch whom the rest bid aspire.

The misfortune is, we lose a God-given opportunity of making the change an unmixed good, or with the slightest possible

share of evil, and are recreant besides to special duty. These "agitations" are the opportunities and the means God offers us to refine the taste, mold the character, lift the purpose, and educate the moral sense of the masses on whose intelligence and self-respect rests the State. God furnishes these texts. He gathers for us this audience, and only asks of our coward lips to preach the sermons.

36. There have been four or five of these great opportunities. The crusade against slavery — that grand hypocrisy which poisoned the national life of two generations — was one, — a conflict between two civilizations which threatened to rend the Union. Almost every element among us was stirred to take a part in the battle. Every great issue, civil and moral, was involved, — toleration of opinion, limits of authority, relation of citizen to law, place of the Bible, priest and layman, sphere of woman, question of race, State rights and nationality; and Channing testified that free speech and free printing owed their preservation to the struggle. But the pulpit flung the Bible at the reformer; law visited him with its penalties; society spewed him out of its mouth; bishops expurgated the pictures of their Common Prayer Books; and editors omitted pages in republishing English history; even Pierpont emasculated his Class-book; Bancroft remodeled his chapters; and Everett carried Washington through thirty states, remembering to forget the brave words the wise Virginian had left on record warning his countrymen of this evil. Amid this battle of the giants, scholarship sat dumb for thirty years until imminent deadly peril convulsed it into action, and colleges, in their despair, gave to the army that help they had refused to the market place and the rostrum.

37. There was here and there an exception. That earthquake scholar at Concord, whose serene word, like a whisper among the avalanches, topples down superstitions and prejudices, was at his post, and with half a score of others, made

the exception that proved the rule. Pulpits, just so far as they could not boast of culture and nestled closest down among the masses, were infinitely braver than the "spires and antique towers" of stately collegiate institutions.

38. Then came reform of penal legislation, — the effort to make law mean justice, and substitute for its barbarism Christianity and civilization. In Massachusetts, Rantoul represents Beccaria and Livingston, Mackintosh and Romilly. I doubt if he ever had one word of encouragement from Massachusetts letters; and with a single exception, I have never seen, till within a dozen years, one that could be called a scholar active in moving the legislature to reform its code.

39. The London *Times* proclaimed, twenty years ago, that intemperance produced more idleness, crime, disease, want, misery, than all other causes put together; and the *Westminster Review* calls it a "curse that far eclipses every other calamity under which we suffer." Gladstone, speaking as prime minister, admitted that "greater calamities are inflicted on mankind by intemperance than by the three great historical scourges, — war, pestilence, and famine." De Quincey says, "The most remarkable instance of a combined movement in society which history, perhaps, will be summoned to notice, is that which, in our day, has applied itself to the abatement of intemperance. Two vast movements are hurrying into action by velocities continually accelerated, — the great revolutionary movement from *political* causes, concurring with the great *physical* movement in locomotion and social intercourse from the gigantic power of steam. At the opening of such a crisis, had no *third movement arisen of resistance to intemperate habits*, there would have been ground of despondency as to the melioration of the human race." These are English testimonies, where the State rests more than half on bayonets. Here we are trying to rest the ballot box on a drunken people. "We can rule a great city," said Sir Robert Peel, "America

cannot"; and he cited the mobs of New York as sufficient proof of his assertion.

40. Thoughtful men see that up to this hour the government of great cities has been with us a failure; that worse than the dry rot of legislative corruption, than the rancor of party spirit, than Southern barbarism, than even the tyranny of incorporated wealth, is the giant burden of intemperance, making universal suffrage a failure and a curse in every great city. Scholars who play statesmen, and editors who masquerade as scholars, can waste much excellent anxiety that clerks shall get no office until they know the exact date of Cæsar's assassination, as well as the latitude of Pekin, and the Rule of Three. But while this crusade — the Temperance movement — has been, for sixty years, gathering its facts and marshaling its arguments, rallying parties, besieging legislatures, and putting great states on the witness stand as evidence of the soundness of its methods, scholars have given it nothing but a sneer. But if universal suffrage ever fails here for a time, — permanently it cannot fail, — it will not be incapable civil service, nor an ambitious soldier, nor Southern vandals, nor venal legislatures, nor the greed of wealth, nor boy statesmen rotten before they are ripe, that will put universal suffrage into eclipse; it will be rum intrenched in great cities and commanding every vantage ground.

41. Social science affirms that woman's place in society marks the level of civilization. From its twilight in Greece, through the Italian worship of the Virgin, the dreams of chivalry, the justice of the civil law, and the equality of French society, we trace her gradual recognition; while our common law, as Lord Brougham confessed, was, with relation to women, the opprobrium of the age and of Christianity. For forty years plain men and women, working noiselessly, have washed away that opprobrium; the statute books of thirty states have been remodeled, and woman stands to-day almost face to face with

her last claim, — the ballot. It has been a weary and thankless, though successful, struggle. But if there be any refuge from that ghastly curse, — the vice of great cities, before which social science stands palsied and dumb, — it is in this more equal recognition of woman. If, in this critical battle for universal suffrage, — our fathers' noblest legacy to us, and the greatest trust God leaves in our hands, — there be any weapon, which once taken from the armory will make victory certain, it will be, as it has been in art, literature, and society, summoning woman into the political arena.

42. But at any rate, up to this point, putting suffrage aside, there can be no difference of opinion; everything born of Christianity, or allied to Grecian culture or Saxon law, must rejoice in the gain. The literary class, until within half a dozen years, has taken note of this great uprising only to fling every obstacle in its way. The first glimpse we get of Saxon blood in history is that line of Tacitus in his *Germany* which reads, "In all grave matters they consult their women." Years hence, when robust Saxon sense has flung away Jewish superstition and Eastern prejudice, and put under its foot fastidious scholarship and squeamish fashion, some second Tacitus, from the valley of the Mississippi will answer to him of the Seven Hills, "In all grave questions we consult our women."

43. I used to think that then we could say to letters as Henry of Navarre wrote to the Sir Philip Sidney of his realm, Crillon, "the bravest of the brave," "We have conquered at Arques, *et tu n'y etais pas, Crillon*," — "You were not there, my Crillon." But a second thought reminds me that what claims to be literature has been always present in that battle-field, and always in the ranks of the foe.

44. Ireland is another touchstone which reveals to us how absurdly we masquerade in democratic trappings while we have gone to seed in Tory distrust of the people; false to every duty, which, as eldest born of democratic institutions, we owe

to the oppressed, and careless of the lesson every such movement may be made in keeping public thought clear, keen, and fresh as to principles which are the essence of our civilization, the groundwork of all education in republics.

45. Sydney Smith said, "The moment Ireland is mentioned the English seem to bid adieu to common sense, and to act with the barbarity of tyrants and the fatuity of idiots. . . . As long as the patient will suffer, the cruel will kick. . . . If the Irish go on withholding and forbearing, and hesitating whether this is the time for discussion or that is the time, they will be laughed at another century as fools, and kicked for another century as slaves." Byron called England's union with Ireland "the union of the shark with his prey." Bentham's conclusion, from a survey of five hundred years of European history, was, "Only by making the ruling few uneasy can the oppressed many obtain a particle of relief." Edmund Burke — Burke, the noblest figure in the Parliamentary history of the last hundred years, greater than Cicero in the Senate and almost Plato in the Academy — Burke affirmed, a century ago, "Ireland has learned at last that justice is to be had from England only when demanded at the sword's point." And a century later, only last year, Gladstone himself proclaimed in a public address in Scotland, "England never concedes anything to Ireland except when moved to do so by fear."

46. When we remember these admissions, we ought to clap our hands at every fresh Irish "outrage," as a parrot press styles it, aware that it is only a far-off echo of the musket shots that rattled against the Old State House on the 5th of March, 1770, and of the warwhoop that made the tiny spire of the Old South tremble when Boston rioters emptied the three India teaships into the sea, — welcome evidence of living force and rare intelligence in the victim, and a sign that the day of deliverance draws each hour nearer. Cease ringing endless changes of eulogy on the men who made North's Boston

port bill a failure, while every leading journal sends daily over the water wishes for the success of Gladstone's copy of the bill for Ireland. If all rightful government rests on consent, — if, as the French say, you "can do almost anything with a bayonet except sit on it," — be at least consistent, and denounce the man who covers Ireland with regiments to hold up a despotism which, within twenty months, he has confessed rests wholly upon fear.

47. Then note the scorn and disgust with which we gather up our garments about us and disown the Samuel Adams and William Prescott, the George Washington and John Brown, of St. Petersburg, the spiritual descendants, the living representatives of those who make our history worth anything in the world's annals, — the Nihilists.

48. Nihilism is the righteous and honorable resistance of a people crushed under an iron rule. Nihilism is evidence of life. When "order reigns in Warsaw," it is spiritual death. Nihilism is the last weapon of victims choked and manacled beyond all other resistance. It is crushed humanity's only means of making the oppressor tremble. God means that unjust power shall be insecure; and every move of the giant, prostrate in chains, whether it be to lift a single dagger, or stir a city's revolt, is a lesson in justice. One might well tremble for the future of the race if such a despotism could exist without provoking the bloodiest resistance. I honor Nihilism, since it redeems human nature from the suspicion of being utterly vile, made up only of heartless oppressors and contented slaves. Every line in our history, every interest of civilization, bids us rejoice when the tyrant grows pale and the slave rebellious. We cannot but pity the suffering of any human being, however richly deserved; but such pity must not confuse our moral sense. Humanity gains. Chatham rejoiced when our fathers rebelled. For every single reason they alleged, Russia counts a hundred, each one ten times bitterer than any Hancock or

Adams could give. Samuel Johnson's standing toast in Oxford port was, "Success to the first insurrection of slaves in Jamaica," — a sentiment Southey echoed. "Eschew cant," said that old moralist. But of all the cants that are canted in this canting world, though the cant of piety may be the worst, the cant of Americans bewailing Russian Nihilism is the most disgusting.

49. I know what reform needs, and all it needs, in a land where discussion is free, the press untrammeled, and where public halls protect debate. There, as Emerson says, "What the tender and poetic youth dreams to-day, and conjures up with inarticulate speech, is to-morrow the vociferated result of public opinion, and the day after is the charter of nations." Lieber said, in 1870, "Bismarck proclaims to-day in the Diet the very principles for which we were hunted and exiled fifty years ago." Submit to risk your daily bread, expect social ostracism, count on a mob now and then, "be in earnest, don't equivocate, don't retreat a single inch," and you will finally be heard.

For Humanity sweeps onward, where to-day the martyr stands
On the morrow crouches Judas, with the silver in his hands;
Far in front the cross stands ready, and the crackling fagots burn,
While the hooting mob of yesterday in silent awe return
To glean up the scattered ashes into History's golden urn.

In such a land he is doubly and trebly guilty who, except in some most extreme case, disturbs the sober rule of law and order.

50. But such is not Russia. In Russia there is no press, no debate, no explanation of what government does, no remonstrance allowed, no agitation of public issues. Dead silence, like that which reigns at the summit of Mont Blanc, freezes the whole empire, long ago described as "a despotism tempered by assassination." Meanwhile, such despotism has unsettled the brains of the ruling family, as unbridled power doubtless made some of the twelve Cæsars insane, — a madman sporting with

the lives and comfort of a hundred millions of men. The young girl whispers in her mother's ear, under a ceiled roof, her pity for a brother knouted and dragged half dead into exile for his opinions. The next week she is stripped naked and flogged to death in the public square. No inquiry, no explanation, no trial, no protest; one dead uniform silence, — the law of the tyrant. Where is there ground for any hope of peaceful change? Where the fulcrum upon which you can plant any possible lever?

51. Macchiavelli's sorry picture of poor human nature would be fulsome flattery if men could keep still under such oppression. No, no! in such a land dynamite and the dagger are the necessary and proper substitutes for Faneuil Hall and the *Daily Advertiser*. Anything that will make the madman quake in his bedchamber, and rouse his victims into reckless and desperate resistance. This is the only view an American, the child of 1620 and 1776, can take of Nihilism. Any other unsettles and perplexes the ethics of our civilization.

52. Born within sight of Bunker Hill, in a commonwealth which adopts the motto of Algernon Sidney, *sub libertate quietem* ("accept no peace without liberty"); son of Harvard, whose first pledge was "Truth"; citizen of a republic based on the claim that no government is rightful unless resting on the consent of the people, and which assumes to lead in asserting the rights of humanity, — I at least can say nothing else and nothing less; no, not if every tile on Cambridge roofs were a devil hooting my words!

53. I shall bow to any rebuke from those who hold Christianity to command entire non-resistance. But criticism from any other quarter is only that nauseous hypocrisy which, stung by threepenny tea tax, piles Bunker Hill with granite and statues, prating all the time of patriotism and broadswords, while, like another Pecksniff, it recommends a century of dumb submission and entire non-resistance to the Russians, who for

a hundred years have seen their sons by thousands dragged to death or exile, no one knows which, in this worse than Venetian mystery of police, and their maidens flogged to death in the market place, and who share the same fate if they presume to ask the reason why.

54. "It is unfortunate," says Jefferson, "that the efforts of mankind to secure the freedom of which they have been deprived, should be accompanied with violence and even with crime. But while we weep over the means, we must pray for the end." Pray fearlessly for such ends; there is no risk! "Men are all tories by nature," says Arnold, "when tolerably well off; only monstrous injustice and atrocious cruelty can rouse them." Some talk of the rashness of the uneducated classes. Alas! ignorance is far oftener obstinate than rash. Against one French revolution — that scarecrow of the ages — weigh Asia, "carved in stone," and a thousand years of Europe, with her half-dozen nations meted out and trodden down to be the dull and contented footstools of priests and kings. The customs of a thousand years ago are the sheet anchor of the passing generation, so deeply buried, so fixed, that the most violent efforts of the maddest fanatic can drag it but a hand's-breadth.

55. Before the war, Americans were like the crowd in that terrible hall of Eblis which Beckford painted for us, — each man with his hand pressed on the incurable sore in his bosom, and pledged not to speak of it; compared with other lands, we were intellectually and morally a nation of cowards.

56. When I first entered the Roman States, a customhouse official seized all my French books. In vain I held up to him a treatise by Fénelon, and explained that it was by a Catholic archbishop of Cambray. Gruffly he answered, "It makes no difference; *it is French.*" As I surrendered the volume to his remorseless grasp, I could not but honor the nation which had made its revolutionary purpose so definite that despotism feared

its very language. I only wished that injustice and despotism everywhere might one day have as good cause to hate and to fear everything American.

57. At last that disgraceful seal of slave complicity is broken. Let us inaugurate a new departure, recognize that we are afloat on the current of Niagara, eternal vigilance the condition of our safety, that we are irrevocably pledged to the world not to go back to bolts and bars, — could not if we would, and would not if we could. Never again be ours the fastidious scholarship that shrinks from rude contact with the masses. Very pleasant it is to sit high up in the world's theater and criticise the ungraceful struggles of the gladiators, shrug one's shoulders at the actors' harsh cries, and let every one know that but for "this villainous saltpeter you would yourself have been a soldier." But Bacon says, "In the theater of man's life, God and his angels only should be lookers-on." "Sin is not taken out of man as Eve was out of Adam, by putting him to sleep." "Very beautiful," said Richter, "is the eagle when he floats with outstretched wings aloft in the clear blue; but sublime when he plunges down through the tempest to his eyrie on the cliff, where his unfledged young ones dwell and are starving." Accept proudly the analysis of Fisher Ames: "A monarchy is a man-of-war, stanch, iron-ribbed, and resistless when under full sail; yet a single hidden rock sends her to the bottom. Our republic is a raft hard to steer, and your feet always wet; but nothing can sink her." If the Alps, piled in cold and silence, be the emblem of despotism, we joyfully take the ever-restless ocean for ours, — only pure because never still.

58. Journalism must have more self-respect. Now it praises good and bad men so indiscriminately that a good word from nine tenths of our journals is worthless. In burying our Aaron Burrs, both political parties — in order to get the credit of magnanimity — exhaust the vocabulary of eulogy so thoroughly that there is nothing left with which to distinguish our John

Jays. The love of a good name in life and a fair reputation to survive us — that strong bond to well-doing — is lost where every career, however stained, is covered with the same fulsome flattery, and where what men say in the streets is the exact opposite of what they say to each other. *De mortuis nil nisi bonum* most men translate, "Speak only good of the dead." I prefer to construe it, "Of the dead say nothing unless you can tell something good." And if the sin and the recreancy have been marked and far-reaching in their evil, even the charity of silence is not permissible.

59. To be as good as our fathers we must be better. They silenced their fears and subdued their prejudices, inaugurating free speech and equality with no precedent on the file. Europe shouted "Madmen!" and gave us forty years for the shipwreck. With serene faith they persevered. Let us rise to their level. Crush appetite, and prohibit temptation if it rots great cities. Intrench labor in sufficient bulwarks against that wealth which, without the tenfold strength of modern incorporation, wrecked the Grecian and Roman States; and with a sterner effort still, summon women into civil life as reënforcement to our laboring ranks in the effort to make our civilization a success.

60. Sit not, like the figure on our silver coin, looking ever backward.

New occasions teach new duties; time makes ancient good uncouth;
They must upward still, and onward, who would keep abreast of Truth.
Lo! before us gleam her camp fires! we ourselves must Pilgrims be,
Launch our Mayflower, and steer boldly through the desperate winter sea,
Nor attempt the Future's portal with the Past's blood-rusted key.

THE PUBLIC DUTY OF EDUCATED MEN [1]

GEORGE WILLIAM CURTIS

AN ORATION DELIVERED AT THE COMMENCEMENT OF UNION COLLEGE, JUNE 27, 1877.

INTRODUCTION

George William Curtis, author, orator, and publicist, was born in Providence, Rhode Island, February 24, 1824. In 1839 he went to New York and became a clerk in a mercantile house. In 1842 he and his elder brother joined the Brook Farm Community, at West Roxbury, Massachusetts. After remaining there a year and a half he went to Concord and spent another eighteen months with a farmer, dividing his time between farming and the society of Emerson, Hawthorne, and other noted men. In place of a college course Curtis spent the next four years in travel abroad. He lived first in Italy and Germany, and afterwards traveled in Egypt and Syria. Upon his return, he published the *Howadji* books, which gave him some reputation as a writer. Later there came from his pen *The Potiphar Papers*, *Prue and I*, and *Trumps*. In 1850 he joined the editorial staff of the New York *Tribune*, and in 1852 became a partner in the firm that established *Putnam's Monthly*. When this firm failed, Curtis assumed a large indebtedness for which he was not legally bound, applied his private fortune toward meeting the firm's obligations, and for sixteen years devoted to that purpose the money earned by lecturing. In 1854 he began his "Easy Chair" papers in *Harper's Magazine*, and later became the leading editorial writer for *Harper's Weekly*.

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In 1856 Curtis delivered an oration before the literary societies of Wesleyan University, at Middletown, Connecticut, on "The Duty of the American Scholar to Politics and the Times." This marks the beginning of his connection with public affairs. The same year he spoke in the presidential campaign in favor of the Republican candidates. In 1860, 1864, and 1876, he was a delegate to the Republican national conventions. In 1864 he was an unsuccessful candidate for Congress. In 1869 he declined the Republican nomination for secretary of state of New York, and in 1876 he also declined the position of minister to England. In 1871 he became identified with the civil service as a member of the commission appointed to draw up rules for its regulation. He later became president of the National Civil Service Reform League, and for twenty years he wrote and spoke in its interests. The cause of civil service reform owes more to Curtis than to any other one man. One large volume of his orations and addresses is devoted entirely to this subject. In politics he was exceptionally independent and fearless. He was among the first, as he was the leader, of those who broke away from party affiliations in 1884 and supported Cleveland, as against Blaine, for the presidency, and were satirically denominated "Mugwumps." As a leader of public opinion Curtis exerted an influence which is probably unparalleled in our history. He died August 31, 1892.

In an article entitled "George William Curtis: Friend of the Republic," *McClure's Magazine*, October, 1904, Honorable Carl Schurz says:

"However effective his regular journalistic communion with the public was, the most valuable and impressive of his teachings were contained in that grand series of orations and occasional addresses which not only placed him in the first rank of the great orators of his time, but also constitute his finest contributions to American literature — addresses and orations delivered at college commencements, alumni reunions, the unveiling of monuments, memorial services in honor of statesmen, or soldiers, or men of letters, or public meetings held to shape, or express, or stimulate popular sentiment on some matter of great public concern. Nothing could surpass the splendid architecture of their argument and the wealth and chaste beauty of their ornamentation. In what gorgeous colors he would paint the glories of his country! How

he would revel in the memories of the heroic birth of the republic and in extolling the grand and eternal significance of the principles which constituted its reason of being and its promise to all mankind! With what lofty sternness he would castigate those whose mean spirit failed to appreciate those principles! How vividly he would make to gleam and radiate the virtues and high aims and achievements of the great men who were the subjects of his eulogy! How magnificently his noble manhood and his American citizen's pride shone forth when he defined to the youth of his generation the nature of true patriotism, — a patriotism that embraced all the human kind and had its source in the purest moral sense and in the profoundest and most courageous convictions of right and duty in the service of the highest ideals!"

Though Curtis was primarily a man of letters, he is, as Mr. Schurz says, best known now as a lecturer and an orator. Among a galaxy of contemporary lecturers such as Emerson, Phillips, and Beecher, Curtis was in constant demand for the lyceum platform, and was one of the most accomplished and polished speakers of his times. Before and during the war he spoke chiefly on the question of slavery; later, on civil service reform and occasional topics. From the very first his addresses were characterized by those rhetorical excellencies which make them, as he himself said of Burke's speeches, "not only historical events, but splendid possessions of literature." If he has not the energy and pugnacity of Phillips, or the prevailing emotionalism of Grady, he has a poise and finish that excel the one and equal the other.

While Curtis was a master in extemporaneous oratory, his set speeches were prepared with great care. Suggestions as to his methods may be gleaned from the following extracts of a letter written by him and published in Smith's *Reading and Speaking* (p. 125):

"The young orator must not be afraid to take the same pains with the form of his oration, which is largely the oration, that the painter takes with his color, his drawing, his aërial perspective, and his chiaroscuro; and the poet with his rhythm and his words. Care and taste, the felicitous choice of phrase and happy cadence, do not result in disagreeable artificiality in an oration more than in a poem or picture. . . . The greatest orations have probably been most thoughtfully prepared. But this does not prevent a quick and fortunate use of unforeseen incidents and the remarks

of others. . . . [The great orators] did not trust to the 'spur of the moment,' but relied upon thought and knowledge, and careful cultivation of the forms of expression."

In delivery, Curtis's manner was well adapted to the intelligent audiences he usually addressed. With a fine form and pleasing bearing, a deep, musical, and well-modulated voice, using few but expressive gestures, he "seemed absorbed by the expression of his thought, unheeding the eyes, seeking the judgment and the heart, of his auditors."

The following oration on "The Public Duty of Educated Men" is not notably better than many of the other orations and addresses given by Curtis during the forty years of his active life, but it does represent, in perhaps the most comprehensive form, the sum of his political philosophy, — that educated and consecrated intelligence is the hope of this Republic, — and pleads the responsibilities and duties of that class of which he himself was a most distinguished type, — the Scholar in Politics.

1. It is with diffidence that I rise to add any words of mine to the music of these younger voices. This day, Gentlemen of the Graduating Class, is especially yours. It is a day of high hope and expectation; and the councils that fall from older lips should be carefully weighed, lest they chill the ardor of a generous enthusiasm, or stay the all-conquering faith of youth that moves the world. To those who, constantly and actively engaged in a thousand pursuits, are still persuaded that educated intelligence molds states and leads mankind, no day in the year is more significant, more inspiring, than this of the College Commencement. It matters not at what college it may be celebrated. It is the same at all. We stand here indeed beneath these college walls, beautiful for situation, girt at this moment with the perfumed splendor of midsummer, and full of tender memories and joyous associations to those who hear me. But on this day, and on other days, at a hundred other colleges, this summer sun beholds the same spectacle of eager and earnest throngs. The faith that we hold, they also cherish.

It is the same God that is worshiped at the different altars. It is the same benediction that descends upon every reverent head and believing heart. In this annual celebration of faith in the power and the responsibility of educated men, all the colleges in the country, in whatever state, of whatever age, of whatever religious sympathy or direction, form but one great Union University.

2. But the interest of the day is not that of mere study, of sound scholarship as an end, of good books for their own sake, but of education as a power in human affairs; of educated men as an influence in the commonwealth. "Tell me," said an American scholar of Goethe, the many-sided, "what did he ever do for the cause of man?" The scholar, the poet, the philosopher, are men among other men. From these unavoidable social relations spring opportunities and duties. How do they use them? How do they discharge them? Does the scholar show in his daily walk that he has studied the wisdom of ages in vain? Does the poet sing of angelic purity and lead an unclean life? Does the philosopher peer into other worlds, and fail to help this world upon its way? Four years before our Civil War, the same scholar — it was Theodore Parker — said sadly: "If our educated men had done their duty, we should not now be in the ghastly condition we bewail." The theme of to-day seems to me to be prescribed by the occasion. It is the festival of the departure of a body of educated young men into the world. This company of picked recruits marches out with beating drums and flying colors to join the army. We who feel that our fate is gracious which allowed a liberal training, are here to welcome and to advise. On your behalf, Mr. President and Gentlemen, with your authority, and with all my heart, I shall say a word to them and to you of the public duty of educated men in America.

3. I shall not assume, Gentlemen Graduates, for I know that it is not so, that what Dr. Johnson says of the teachers of

Rasselas and the princes of Abyssinia can be truly said of you in your happy valley — "The sages who instructed them told them of nothing but the miseries of public life, and described all beyond the mountains as regions of calamity where discord was always raging, and where man preyed upon man." The sages who have instructed you are American citizens. They know that patriotism has its glorious opportunities and its sacred duties. They have not shunned the one, and they have well performed the other. In the sharpest stress of our awful conflict, a clear voice of patriotic warning was heard from these peaceful academic shades; the voice of the venerated teacher whom this University still freshly deplores, drawing, from the wisdom of experience stored in his ample learning, a lesson of startling cogency and power from the history of Greece for the welfare of America.

4. This was the discharge of a public duty by an educated man. It illustrated an indispensable condition of a progressive republic: the active, practical interest in politics of the most intelligent citizens. Civil and religious liberty in this country can be preserved only through the agency of our political institutions. But those institutions alone will not suffice. It is not the ship so much as the skillful sailing that assures the prosperous voyage. American institutions presuppose not only general honesty and intelligence in the people, but their constant and direct application to public affairs. Our system rests upon all the people, not upon a part of them, and the citizen who evades his share of the burden betrays his fellows. Our safety lies not in our institutions but in ourselves. It was under the forms of the republic that Julius Cæsar made himself emperor of Rome. It was by professing reverence for the national traditions that James II was destroying religious liberty in England. To labor, said the old monks, is to pray. What we earnestly desire we earnestly toil for. That she may be prized more truly, heaven-eyed Justice flies from us, like the Tartar maid

from her lovers, and she yields her embrace at last only to the swiftest and most daring of her pursuers.

5. By the words "public duty" I do not necessarily mean official duty, although it may include that. I mean simply that constant and active practical participation in the details of politics without which, upon the part of the most intelligent citizens, the conduct of public affairs falls under the control of selfish and ignorant, or crafty and venal men. I mean that personal attention which, as it must be incessant, is often wearisome and even repulsive, to the details of politics, attendance at meetings, service upon committees, care and trouble and expense of many kinds, patient endurance of rebuffs, chagrins, ridicules, disappointments, defeats — in a word, all those duties and services which, when selfishly and meanly performed, stigmatize a man as a mere politician; but whose constant, honorable, intelligent, and vigilant performance is the gradual building, stone by stone, and layer by layer, of that great temple of self-restrained liberty which all generous souls mean that our government shall be.

6. Public duty in this country is not discharged, as is so often supposed, by voting. A man may vote regularly, and still fail essentially of his political duty, as the Pharisee who gave tithes of all that he possessed, and fasted three times in the week, yet lacked the very heart of religion. When an American citizen is content with voting merely, he consents to accept what is often a doubtful alternative. His first duty is to help shape the alternative. This, which was formerly less necessary, is now indispensable. In a rural community such as this country was a hundred years ago, whoever was nominated for office was known to his neighbors, and the consciousness of that knowledge was a conservative influence in determining nominations. But in the local elections of the great cities of to-day, elections that control taxation and expenditure, the mass of the voters vote in absolute ignorance of the candidates.

The citizen who supposes that he does all his duty when he votes, places a premium upon political knavery. Thieves welcome him to the polls and offer him a choice, which he has done nothing to prevent, between Jeremy Diddler and Dick Turpin. The party cries, for which he is responsible, are, "Turpin and Honesty!" "Diddler and Reform!" And within a few years, as a result of this indifference to the details of public duty, the most powerful politician in the Empire State of the Union was Jonathan Wild the Great, the captain of a band of plunderers. I know it is said that the knaves have taken the honest men in a net, and have contrived machinery which will inevitably grind only the grist of rascals. The answer is, that when honest men did once what they ought to do always, the thieves were netted and their machine was broken. To say that in this country the rogues must rule, is to defy history and to despair of the republic. It is to repeat the imbecile executive cry of sixteen years ago, "Oh, dear! the states have no right to go"; and, "Oh, dear! the nation has no right to help itself." Let the Union, stronger than ever and unstained with national wrong, teach us the power of patriotic virtue — and Ludlow Street jail console those who suppose that American politics must necessarily be a game of thieves and bullies.

7. If ignorance and corruption and intrigue control the primary meeting, and manage the convention, and dictate the nomination, the fault is in the honest and intelligent workshop and office, in the library and the parlor, in the church and the school. When they are as constant and faithful to their political rights as the slums and the grogshops, the pool rooms and the kennels; when the educated, industrious, temperate, thrifty citizens are as zealous and prompt and unfailing in political activity as the ignorant and venal and mischievous, or when it is plain that they cannot be roused to their duty, then, but not until then — if ignorance and corruption always carry the day — there can be no honest question that the republic has failed.

But let us not be deceived. While good men sit at home, not knowing that there is anything to be done, nor caring to know; cultivating a feeling that politics are tiresome and dirty, and politicians vulgar bullies and bravoes; half persuaded that a republic is the contemptible rule of a mob, and secretly longing for a splendid and vigorous despotism, — then remember it is not a government mastered by ignorance, it is a government betrayed by intelligence; it is not the victory of the slums, it is the surrender of the schools; it is not that bad men are brave, but that good men are infidels and cowards.

8. But, Gentlemen, when you come to address yourselves to these primary public duties, your first surprise and dismay will be the discovery that, in a country where education is declared to be the hope of its institutions, the higher education is often practically held to be almost a disadvantage. You will go from these halls to hear a very common sneer at college-bred men; to encounter a jealousy of education as making men visionary and pedantic and impracticable; to confront a belief that there is something enfeebling in the higher education, and that self-made men, as they are called, are the sure stay of the state. But what is really meant by a self-made man? It is a man of native sagacity and strong character, who was taught, it is proudly said, only at the plow or the anvil or the bench. He was schooled by adversity, and was polished by hard attrition with men. He is Benjamin Franklin, the printer's boy, or Abraham Lincoln, the rail-splitter. They never went to college, but nevertheless, like Agamemnon, they were kings of men, and the world blesses their memory.

9. So it does; but the sophistry here is plain enough, although it is not always detected. Great genius and force of character undoubtedly make their own career. But because Walter Scott was dull at school, is a parent to see with joy that his son is a dunce? Because Lord Chatham was of a towering conceit, must we infer that pompous vanity portends a

comprehensive statesmanship that will fill the world with the splendor of its triumphs? Because Sir Robert Walpole gambled and swore and boozed at Houghton, are we to suppose that gross sensuality and coarse contempt of human nature are the essential secrets of a power that defended liberty against Tory intrigue and priestly politics? Was it because Benjamin Franklin was not college-bred that he drew the lightning from heaven and tore the scepter from the tyrant? Was it because Abraham Lincoln had little schooling that his great heart beat true to God and man, lifting him to free a race and die for his country? Because men naturally great have done great service in the world without advantages, does it follow that lack of advantage is the secret of success? Was Pericles a less sagacious leader of the state, during forty years of Athenian glory, because he was thoroughly accomplished in every grace of learning? Or, swiftly passing from the Athenian agora to the Boston town meeting, behold Samuel Adams, tribune of New England against Old England, of America against Europe, of liberty against despotism. Was his power enfeebled, his fervor chilled, his patriotism relaxed, by his college education? No, no; they were strengthened, kindled, confirmed. Taking his Master's degree one hundred and thirty-four years ago, thirty-three years before the Declaration of Independence, Samuel Adams, then twenty-one years old, declared in a Latin discourse — the first flashes of the fire that blazed afterward in Faneuil Hall and kindled America — that it is lawful to resist the supreme magistrate if the commonwealth cannot otherwise be preserved. In the very year that Jefferson was born, the college boy, Samuel Adams, on a Commencement day like this, on an academical platform like this on which we stand, struck the keynote of American independence, which still stirs the heart of man with its music.

10. Or, within our own century, look at the great modern statesmen who have shaped the politics of the world. They

were educated men; were they therefore visionary, pedantic, impracticable? Cavour, whose monument is United Italy — one from the Alps to Tarentum, from the lagoons of Venice to the Gulf of Salerno; Bismarck, who has raised the German empire from a name to a fact; Gladstone, to-day the incarnate heart and conscience of England, — they are the perpetual refutation of the sneer that higher education weakens men for practical affairs. Trained themselves, such men know the value of training. All countries, all ages, all men, are their teachers. The broader their education, the wider the horizon of their thought and observation, the more affluent their resources, the more humane their policy. Would Samuel Adams have been a truer popular leader had he been less an educated man? Would Walpole the less truly have served his country had he been, with all his capacities, a man whom England could have revered and loved? Could Gladstone so sway England with his serene eloquence, as the moon the tides, were he a gambling, swearing, boozing squire like Walpole? There is no sophistry more poisonous to the state, no folly more stupendous and demoralizing, than the notion that the purest character and the highest education are incompatible with the most commanding mastery of men and the most efficient administration of affairs.

11. Undoubtedly a practical and active interest in politics will lead you to party association and coöperation. Great public results — the repeal of the corn laws in England, the abolition of slavery in America — are due to that organization of effort and concentration of aim which arouse, instruct, and inspire the popular heart and will. This is the spring of party, and those who earnestly seek practical results instinctively turn to this agency of united action. But in this tendency, useful in the state as the fire upon the household hearth, lurks, as in that fire, the deadliest peril. Here is our republic — it is a ship with towering canvas spread, sweeping before the prosperous gale over a foaming and sparkling sea; it is a lightning

train, darting with awful speed along the edge of dizzy abysses and across bridges that quiver over unsounded gulfs. Because we are Americans, we have no peculiar charm, no magic spell, to stay the eternal laws. Our safety lies alone in cool self-possession, directing the forces of wind and wave and fire. If once the madness to which the excitement tends usurps control, the catastrophe is inevitable. And so deep is the conviction that sooner or later this madness must seize every republic, that the most plausible suspicion of the permanence of the American government is founded in the belief that party spirit cannot be restrained. It is indeed a master passion, but its control is the true conservatism of the republic and of happy human progress; and it is men made familiar by education with the history of its ghastly catastrophes, men with the proud courage of independence, who are to temper by lofty action, born of that knowledge, the ferocity of party spirit.

12. The first object of concerted political action is the highest welfare of the country. But the conditions of party association are such that the means are constantly and easily substituted for the end. The sophistry is subtle and seductive. Holding the ascendency of his party essential to the national welfare, the zealous partisan merges patriotism in party. He insists that not to sustain the party is to betray the country, and against all honest doubt and reasonable hesitation and reluctance, he vehemently urges that quibbles of conscience must be sacrificed to the public good; that wise and practical men will not be squeamish; that every soldier in the army cannot indulge his own whims; and that if the majority may justly prevail in determining the government, it must not be questioned in the control of a party.

13. This spirit adds moral coercion to sophistry. It denounces as a traitor him who protests against party tyranny, and it makes unflinching adherence to what is called regular party action the condition of the gratification of honorable

political ambition. Because a man who sympathizes with the party aims refuses to vote for a thief, this spirit scorns him as a rat and a renegade. Because he holds to principle and law against party expediency and dictation, he is proclaimed to have betrayed his country, justice, and humanity. Because he tranquilly insists upon deciding for himself when he must dissent from his party, he is reviled as a popinjay and a visionary fool. Seeking with honest purpose only the welfare of his country, the hot air around him hums with the cry of "the grand old party," "the traditions of the party," "loyalty to the party," "future of the party," "servant of the party," and he sees and hears the gorged and portly money changers in the temple usurping the very divinity of the God. Young hearts! be not dismayed. If ever any one of you shall be the man so denounced, do not forget that your own individual convictions are the whip of small cords which God has put into your hands to expel the blasphemers.

14. The same party spirit naturally denies the patriotism of its opponents. Identifying itself with the country, it regards all others as public enemies. This is substantially revolutionary politics. It is the condition of France, where, in its own words, the revolution is permanent. Instead of regarding the other party as legitimate opponents — in the English phrase, His Majesty's Opposition — lawfully seeking a different policy under the government, it decries that party as a conspiracy plotting the overthrow of the government itself. History is lurid with the wasting fires of this madness. We need not look to that of other lands. Our own is full of it. It is painful to turn to the opening years of the Union, and see how the great men whom we are taught to revere, and to whose fostering care the beginning of the republic was intrusted, fanned their hatred and suspicion of each other. Do not trust the flattering voices that whisper of a Golden Age behind us, and bemoan our own as a degenerate day. The castles of hope always

shine along the horizon. Our fathers saw theirs where we are standing. We behold ours where our fathers stood. But pensive regret for the heroic past, like eager anticipation of the future, shows only that the vision of a loftier life forever allures the human soul. We think our fathers to have been wiser than we, and their day more enviable. But eighty years ago the Federalists abhorred their opponents as Jacobins, and thought Robespierre and Marat no worse than Washington's Secretary of State. Their opponents retorted that the Federalists were plotting to establish a monarchy by force of arms. The New England pulpit anathematized Tom Jefferson as an atheist and a satyr. Jefferson denounced John Jay as a rogue, and the chief newspaper of the opposition, on the morning that Washington retired from the presidency, thanked God that the country was now rid of the man who was the source of all its misfortunes. There is no mire in which party spirit wallows to-day with which our fathers were not befouled, and how little sincere the vituperation was, how shallow a fury, appears when Jefferson and Adams had retired from public life. Then they corresponded placidly and familiarly, each at last conscious of the other's fervent patriotism; and when they died, they were lamented in common by those who in their names had flown at each other's throats, as the patriarchal Castor and Pollux of the pure age of our politics, now fixed as a constellation of hope in our heaven.

15. The same brutal spirit showed itself at the time of Andrew Johnson's impeachment. Impeachment is a proceeding to be instituted only for great public reasons, which should, presumptively, command universal support. To prostitute the power of impeachment to a mere party purpose would readily lead to the reversal of the result of an election. But it was made a party measure. The party was to be whipped into its support: and when certain senators broke the party yoke upon their necks, and voted according to their convictions, as

honorable men always will, whether the party whips like it or not, one of the whippers-in exclaimed of a patriotism the struggle of obedience to which cost one senator, at least, his life, — "If there is anything worse than the treachery, it is the cant which pretends that it is the result of conscientious conviction; the pretense of a conscience is quite unbearable." This was the very acridity of bigotry, which in other times and countries raised the cruel tribunal of the Inquisition, and burned opponents for the glory of God. The party madness that dictated these words, and the sympathy that approved them, was treason not alone to the country but to well-ordered human society. Murder may destroy great statesmen, but corruption makes great states impossible; and this was an attempt at the most insidious corruption. The man who attempts to terrify a senator of the United States to cast a dishonest vote, by stigmatizing him as a hypocrite and devoting him to party hatred, is only a more plausible rascal than his opponent who gives Pat O'Flanagan a fraudulent naturalization paper or buys his vote with a dollar or a glass of whisky. Whatever the offenses of the President may have been, they were as nothing when compared with the party spirit which declared that it was tired of the intolerable cant of honesty. So the sneering cavalier was tired of the cant of the Puritan conscience; but the conscience of which plumed Injustice and coroneted Privilege were tired has been for three centuries the invincible bodyguard of civil and religious liberty.

16. Gentlemen, how dire a calamity the same party spirit was preparing for the country within a few months, we can now perceive with amazement and with hearty thanksgiving for a great deliverance. The ordeal of last winter was the severest strain ever yet applied to republican institutions. It was a mortal strain along the very fiber of our system. It was not a collision of sections, nor a conflict of principles of civilization. It was a supreme and triumphant test of American

patriotism. Greater than the declaration of independence by colonies hopelessly alienated from the Crown and already in arms; greater than emancipation, as a military expedient, amid the throes of civil war, was the peaceful and reasonable consent of two vast parties — in a crisis plainly foreseen and criminally neglected — a crisis in which each party asserted its solution to be indisputable — to devise a lawful settlement of the tremendous contest, a settlement which, through furious storms of disappointment and rage, has been religiously respected. We are told that our politics are mean — that already, in its hundredth year, the decadence of the American republic appears and the hope of the world is clouded. But tell me, scholars, in what high hour of Greece, when, as De Witt Clinton declared, the herb-woman could criticise the phraseology of Demosthenes, and the meanest artisan could pronounce judgment on the works of Apelles and Phidias, or at what proud epoch of imperial Rome, or millennial moment of the fierce Italian republics, was ever so momentous a party difference so wisely, so peacefully, so humanely, composed? Had the sophistry of party prevailed, had each side resolved that not to insist upon its own claim at every hazard was what the mad party spirit of each side declared it to be, a pusillanimous surrender; had the spirit of Marius mastered one party and that of Sylla the other, this waving valley of the Mohawk would not to-day murmur with the music of industry, and these tranquil voices of scholars blending with its happy harvest song; it would have smoked and roared with fraternal war, and this shuddering river would have run red through desolated meadows and by burning homes.

17. It is because these consequences are familiar to the knowledge of educated and thoughtful men that such men are constantly to assuage this party fire and to take care that party is always subordinated to patriotism. Perfect party discipline is the most dangerous weapon of party spirit, for it is

the abdication of the individual judgment: it is the application to political parties of the Jesuit principle of implicit obedience.

18. It is for you to help break this withering spell. It is for you to assert the independence and the dignity of the individual citizen, and to prove that party was made for the voter, not the voter for party. When you are angrily told that if you erect your personal whim against the regular party behest, you make representative government impossible by refusing to accept its conditions, hold fast by your own conscience and let the party go. There is not an American merchant who would send a ship to sea under the command of Captain Kidd, however skillful a sailor he might be. Why should he vote to send Captain Kidd to the legislature or to put him in command of the ship of state because his party directs? The party which to-day nominates Captain Kidd, will to-morrow nominate Judas Iscariot; and to-morrow, as to-day, party spirit will spurn you as a traitor for refusing to sell your master. "I tell you," said an ardent and well-meaning partisan, speaking of a closely contested election in another state, "I tell you it is a nasty state, and I hope we have done nasty work enough to carry it." But if your state has been carried by nasty means this year, success will require nastier next year, and the nastiest means will always carry it. The party may win, but the state will have been lost, for there are successes which are failures. When a man is sitting upon the bough of a tree and diligently sawing it off between himself and the trunk, he may succeed, but his success will break his neck.

19. The remedy for the constant excess of party spirit lies, and lies alone, in the courageous independence of the individual citizen. The only way, for instance, to procure the party nomination of good men, is for every self-respecting voter to refuse to vote for bad men. In the mediæval theology the

devils feared nothing so much as the drop of holy water and the sign of the cross, by which they were exorcised. The evil spirits of party fear nothing so much as bolting and scratching. *In hoc signo vinces.* If a farmer would reap a good crop, he scratches the weeds out of his field. If we would have good men upon the ticket, we must scratch bad men off. If the scratching breaks down the party, let it break; for the success of the party by such means would break down the country. The evil spirits must be taught by means that they can understand. "Them fellers" — said the captain of a canal boat of his men — "them fellers never think you mean a thing until you kick 'em. They feel that, and understand."

20. It is especially necessary for us to perceive the vital relation of individual courage and character to the common welfare because ours is a government of public opinion, and public opinion is but the aggregate of individual thought. We have the awful responsibility as a community of doing what we choose; and it is of the last importance that we choose to do what is wise and right. In the early days of the antislavery agitation a meeting was called at Faneuil Hall, in Boston, which a good-natured mob of sailors was hired to suppress. They took possession of the floor and danced breakdowns and shouted choruses and refused to hear any of the orators upon the platform. The most eloquent pleaded with them in vain. They were urged by the memories of the Cradle of Liberty, for the honor of Massachusetts, for their own honor as Boston boys, to respect liberty of speech. But they still laughed and sang and danced, and were proof against every appeal. At last a man suddenly arose from among themselves, and began to speak. Struck by his tone and quaint appearance, and with the thought that he might be one of themselves, the mob became suddenly still. "Well, fellow-citizens," he said, "I would n't be quiet if I did n't want to." The words were greeted with a roar of delight from the mob, which supposed

it had found its champion, and the applause was unceasing for five minutes, during which the strange orator tranquilly awaited his chance to continue. The wish to hear more hushed the tumult, and when the hall was still he resumed: "No, I certainly would n't stop if I had n't a mind to; but then, if I were you, I *would* have a mind to!" The oddity of the remark and the earnestness of the tone held the crowd silent, and the speaker continued, "not because this is Faneuil Hall, nor for the honor of Massachusetts, nor because you are Boston boys, but because you are men, and because honorable and generous men always love fair play." The mob was conquered. Free speech and fair play were secured. Public opinion can do what it has a mind to in this country. If it be debased and demoralized, it is the most odious of tyrants. It is Nero and Caligula multiplied by millions. Can there then be a more stringent public duty for every man — and the greater the intelligence the greater the duty — than to take care, by all the influence he can command, that the country, the majority, public opinion, shall have a mind to do only what is just and pure and humane?

21. Gentlemen, leaving this college to take your part in the discharge of the duties of American citizenship, every sign encourages and inspires. The year that is now ending, the year that opens the second century of our history, has furnished the supreme proof that in a country of rigorous party division the purest patriotism exists. That, and that only, is the pledge of a prosperous future. No mere party fervor, or party fidelity, or party discipline, could fully restore a country torn and distracted by the fierce debate of a century and the convulsions of civil war; nothing less than a patriotism all-embracing as the summer air could heal a wound so wide. I know — no man better — how hard it is for earnest men to separate their country from their party, or their religion from their sect. But nevertheless the welfare of the

country is dearer than the mere victory of party, as truth is more precious than the interest of any sect. You will hear this patriotism scorned as an impracticable theory, as the dream of a cloister, as the whim of a fool. But such was the folly of the Spartan Leonidas, staying with his three hundred the Persian horde and teaching Greece the self-reliance that saved her. Such was the folly of the Swiss Arnold von Winkelried, gathering into his own breast the host of Austrian spears, making his dead body the bridge of victory for his countrymen. Such was the folly of the American Nathan Hale, gladly risking the seeming disgrace of his name, and grieving that he had but one life to give for his country. Such are the beacon lights of a pure patriotism that burn forever in men's memories and answer each other through the illuminated ages. And of the same grandeur, in less heroic and poetic form, was the patriotism of Sir Robert Peel in recent history. He was the leader of a great party and the prime minister of England. The character and necessity of party were as plain to him as to any man. But when he saw that the national welfare demanded the repeal of the corn laws which he had always supported, he did not quail. Amply avowing the error of a life and the duty of avowing it — foreseeing the probable overthrow of his party and the bitter execration that must fall upon him, he tranquilly did his duty. With the eyes of England fixed upon him in mingled amazement, admiration, and indignation, he rose in the House of Commons to perform as great a service as any English statesman ever performed for his country, and in closing his last speech in favor of the repeal, describing the consequences that its mere prospect had produced, he loftily exclaimed: "Where there was dissatisfaction, I see contentment; where there was turbulence, I see there is peace; where there was disloyalty, I see there is loyalty. I see a disposition to confide in you, and not to agitate questions that are the foundations of your institutions,"

When all was over, when he had left office, when his party was out of power, and the fury of party execration against him was spent, his position was greater and nobler than it had ever been. Cobden said of him, "Sir Robert Peel has lost office, but he has gained a country"; and Lord Dalling said of him, what may truly be said of Washington: "Above all parties, himself a party, he had trained his own mind into a disinterested sympathy with the intelligence of his country."

22. A public spirit so lofty is not confined to other ages and lands. You are conscious of its stirrings in your souls. It calls you to courageous service, and I am here to bid you obey the call. Such patriotism may be ours. Let it be your parting vow that it shall be yours. Bolingbroke described a patriot king in England; I can imagine a patriot president in America. I can see him indeed the choice of a party, and called to administer the government when sectional jealousy is fiercest and party passion most inflamed. I can imagine him seeing clearly what justice and humanity, the national law and the national welfare, require him to do, and resolved to do it. I can imagine him patiently enduring not only the mad cry of party hate, the taunt of "recreant" and "traitor," of "renegade" and "coward," but what is harder to bear, the amazement, the doubt, the grief, the denunciation, of those as sincerely devoted as he to the common welfare. I can imagine him pushing firmly on, trusting the heart, the intelligence, the conscience of his countrymen; healing angry wounds, correcting misunderstandings, planting justice on surer foundations, and, whether his party rise or fall, lifting his country heavenward to a more perfect union, prosperity, and peace. This is the spirit of a patriotism that girds the commonwealth with the resistless splendor of the moral law — the invulnerable panoply of states, the celestial secret of a great nation and a happy people.

THE RACE PROBLEM IN THE SOUTH

HENRY W. GRADY

A SPEECH DELIVERED AT THE ANNUAL BANQUET OF THE BOSTON MERCHANTS' ASSOCIATION IN DECEMBER, 1889.

INTRODUCTION

Henry Woodfin Grady, journalist and orator, was born at Athens, Georgia, April 24, 1850. He graduated from the State University at Athens at the age of eighteen, and took a post-graduate course at the University of Virginia. For some time he acted as Southern correspondent for the New York *Herald*, and later became editor of the Rome(Georgia) *Daily Commercial* and of the Atlanta *Herald*. His journalistic efforts were not financially successful until, in 1880, he became editor and part owner of the Atlanta *Constitution*. He remained with this paper until his death, December 23, 1889.

To the argument that the press in modern times has supplanted oratory, the career of Henry W. Grady is a refutation. Journalism was his profession, while his oratory was an incident; and yet his fame and influence came chiefly through the incident. It is not two decades since his last public address, the oration in this volume, was delivered, yet even now the story of his oratorical triumphs reads like a doubtful tale. On December 22, 1886, he accepted an invitation to speak on the "New South" at the annual banquet of the New England Society, in New York City. The reception of this speech, both by the immediate audience and by that larger audience reached through the press, amounted to a sensation. The night of the speech Grady was favorably known in his own section; the next morning he was receiving the

enthusiastic plaudits of the whole country. Not excepting Mr. Bryan's effort at Chicago, — and excelling it in sustained interest and influence, — nothing in the history of modern oratory equals Grady's rocket-like flight to fame. Through this single speech he became a national figure, and his oratory of national renown and influence.

The better to understand Grady's oratory, let us briefly consider his equipment, and the cause to which his life was devoted.

Introduced to a Boston audience as "the incomparable orator of the day," Grady remarked, "I am a talker by inheritance: my father was an Irishman and my mother was a woman." His Irish ancestry may explain his ready wit and delicious humor, his facility and fluency in extempore speaking, and, in part, the ornateness and emotionalism that characterize his speeches. His experience as a reporter in various fields no doubt aided him in acquiring a vocabulary, in appreciating the power of words and in gaining facility in their use. Further, he must have had the oratorical instinct early developed. At the University of Georgia he took an active part in the work of the literary and debating societies, and his chief ambition was to become "Society Orator." At the University of Virginia his main object, says his biographer, Joel Chandler Harris, was to perfect himself in oratory.

Grady's style has been criticised as excessively ornate. This criticism is hardly applicable to the speech in this volume, and yet a leading Boston lawyer described it as a "cannon ball in full flight, fringed with flowers." But taking his speeches as a whole, there are more flowers than cannon balls. Grady's natural element was in the realm of fancy; he aimed to move and win his hearers, not to drive or force them. In the prohibition campaign in Atlanta, in 1887, Grady came out as a strong prohibitionist, while his associate on the *Constitution*, Captain E. P. Howell, was an equally strong anti-prohibitionist. Both were on the hustings in advocacy of their respective sides. A reporter on the Atlanta *Evening Journal* contrasted their oratory in the following description, which is interesting as a record of contemporary impressions:

"Howell makes you feel as if he were the commander of an army, waving his sword and saying, 'Follow me,' and you would follow him to the death; Grady makes you feel like you want to be an angel and with the angels stand. Howell will march his audience, like an army, through flood and fire and hell; with

subtle humor Grady will lead his audience by the still waters where pleasant pastures lie, and there he will 'take the wings of the morning and fly to the uttermost parts of the sea.' In Howell's march the drumbeat never ceases; in Grady's flights you only hear the cherubim's wings. Howell's eloquence is like a rushing mountain stream that tears every rock and crag from its path, gathering volume as it goes; Grady's is like a cumulus cloud that rises invisible as mist till it unfolds its white banners in the sky. Howell will doubtless deal in statistics; Grady will have figures, but they will not smell of the census. They will take on the pleasing shape that induced one of his reporters to plant a crop of Irish potatoes on a speculation. To-night Atlanta will be treated to a hopeful view of prohibition by the most eloquent optimist in the country."

The great cause to which Grady gave his life was that of the South and her future. Journalism was his profession, but the "New South" was his passion. Of this subject he never tired, and he discussed it "with a brilliancy, a fervor, a versatility, and a fluency marvelous enough to have made the reputation of half a dozen men." In the preceding oration in this volume Curtis makes an eloquent plea for the higher politics, — the politics that is above partisanship and self-seeking. To this higher politics Grady's contribution was that he lifted the plane of sectional debate to more candid and dignified interchanges of opinion. It is difficult at this time to realize the prejudice and suspicion that obtained between the North and the South when Grady first spoke in New York. While the circumstances that made his mediation necessary have largely disappeared, these circumstances must be borne in mind in order to appreciate both the form and the effect of his speech. As Patrick Henry was the war orator for the colonists, and Wendell Phillips for the antislavery agitators, Grady was the orator for the peacemakers. In this work of pacification his speeches necessarily became largely moral appeals rather than arguments; hence the prevailing emotional element which characterizes his style.

And of the New South that Grady foretold, what a prophecy was he! Linked to the past by the memory of a father killed while fighting for the Confederate cause, he grappled bravely with war's terrible results, and turned his face toward the future with the eye of a statesman and the heart of a patriot. Idolized

by the South, honored and esteemed by the nation, with a character above reproach, a soul on fire with earnestness, and a nature peculiarly tender and lovable, it is no exaggeration to say that, excepting our martyred presidents, the death of no American has caused such universal sorrow.

The speech that follows was delivered at the annual banquet of the Boston Merchants' Association, December 13, 1889. It has a pathetic background, for on his trip to Boston Grady contracted a cold which quickly developed into pneumonia, and he died shortly after returning to Atlanta. Regarding this address, Mr. Joel Chandler Harris writes:

"He prepared his Boston speech with great care, not merely to perfect its form, but to make it worthy of the great cause he had at heart, and in its preparation he departed widely from his usual methods of composition. He sent his servants away, locked himself in his room, and would not tolerate interruptions from any source. His memory was so prodigious that whatever he wrote was fixed in his mind, so that when he had once written out a speech he needed the manuscript no more. Those who were with him say that he did not confine himself to the printed text of the Boston speech, but made little excursions suggested by his surroundings. Nevertheless, that speech, as it stands, reaches the high-water mark of modern oratory. It was his last, as it was his best, contribution to the higher politics of the country."

1. MR. PRESIDENT: Bidden by your invitation to a discussion of the race problem — forbidden by occasion to make a political speech — I appreciate in trying to reconcile orders with propriety the predicament of the little maid, who, bidden to learn to swim, was yet adjured, "Now go, my darling, hang your clothes on a hickory limb, and don't go near the water."

2. The stoutest apostle of the church, they say, is the missionary, and the missionary, wherever he unfurls his flag, will never find himself in deeper need of unction and address than I, bidden to-night to plant the standard of a Southern Democrat in Boston's banquet hall, and discuss the problem of the

races in the home of Phillips and of Sumner. But, Mr. President, if a purpose to speak in perfect frankness and sincerity; if earnest understanding of the vast interests involved; if a consecrating sense of what disaster may follow further misunderstanding and estrangement, if these may be counted to steady undisciplined speech and to strengthen an untried arm — then, Sir, I find the courage to proceed.

3. Happy am I that this mission has brought my feet at last to press New England's historic soil, and my eyes to the knowledge of her beauty and her thrift. Here, within touch of Plymouth Rock and Bunker Hill, where Webster thundered and Longfellow sang, Emerson thought and Channing preached, here in the cradle of American letters, and almost of American liberty, I hasten to make the obeisance that every American owes New England when first he stands uncovered in her mighty presence. Strange apparition! This stern and unique figure, carved from the ocean and the wilderness, its majesty kindling and growing amid the storms of winters and of wars, until at last the gloom was broken, its beauty disclosed in the sunshine, and the heroic workers rested at its base — while startled kings and emperors gazed and marveled that from the rude touch of this handful, cast on a bleak and unknown shore, should have come the embodied genius of human government and the perfected model of human liberty! God bless the memory of those immortal workers and prosper the fortunes of their living sons and perpetuate the inspirations of their handiwork.

4. Two years ago, Sir, I spoke some words in New York that caught the attention of the North. As I stand here to reiterate, as I have done everywhere, every word I then uttered — to declare that the sentiments I then avowed were universally approved in the South — I realize that the confidence begotten by that speech is largely responsible for my presence here to-night. I should dishonor myself if I betrayed that

confidence by uttering one insincere word or by withholding one essential element of the truth. Apropos of this last, let me confess, Mr. President — before the praise of New England has died on my lips — that I believe the best product of her present life is the procession of 17,000 Vermont Democrats that for twenty-two years, undiminished by death, unrecruited by birth or conversion, have marched over their rugged hills, cast their Democratic ballots, and gone back home to pray for their unregenerate neighbors, and awake to read the record of 25,000 Republican majority. May the God of the helpless and the heroic help them — and may their sturdy tribe increase!

5. Far to the south, Mr. President, separated from this section by a line, once defined in irrepressible difference, once traced in fratricidal blood, and now, thank God, but a vanishing shadow, lies the fairest and richest domain of this earth. It is the home of a brave and hospitable people. There, is centered all that can please or prosper humankind. A perfect climate above a fertile soil yields to the husbandman every product of the temperate zone. There, by night the cotton whitens beneath the stars, and by day the wheat locks the sunshine in its bearded sheaf. In the same field the clover steals the fragrance of the wind, and the tobacco catches the quick aroma of the rains. There, are mountains stored with exhaustless treasures; forests vast and primeval; and rivers that, tumbling or loitering, run wanton to the sea. Of the three essential items of all industries — cotton, iron, and wood — that region has easy control. In cotton, a fixed monopoly; in iron, proven supremacy; in timber, the reserve supply of the Republic. From this assured and permanent advantage, against which artificial conditions cannot much longer prevail, has grown an amazing system of industries. Not maintained by human contrivance of tariff or capital, afar off from the fullest and cheapest source of supply, but resting in Divine

assurance, within touch of field and mine and forest; not set amid costly farms from which competition has driven the farmer in despair, but amid cheap and sunny lands, rich with agriculture, to which neither season nor soil has set a limit, — this system of industries is mounting to a splendor that shall dazzle and illumine the world.

6. That, Sir, is the picture and the promise of my home — a land better and fairer than I have told you, and yet but fit setting, in its material excellence, for the loyal and gentle quality of its citizenship. Against that, Sir, we have New England, recruiting the Republic from its sturdy loins, shaking from its overcrowded hives new swarms of workers and touching this land all over with its energy and its courage. And yet, while in the El Dorado of which I have told you, but fifteen per cent of lands are cultivated, its mines scarcely touched and its population so scant that, were it set equidistant, the sound of the human voice could not be heard from Virginia to Texas; while on the threshold of nearly every house in New England stands a son, seeking with troubled eyes some new land to which to carry his modest patrimony, — the strange fact remains that in 1880 the South had fewer Northern-born citizens than she had in 1870 — fewer in 1870 than in 1860. Why is this? Why is it, Sir, though the sectional line be now but a mist that the breath may dispel, fewer men of the North have crossed it over to the South than when it was crimson with the best blood of the Republic, or even when the slaveholder stood guard every inch of its way?

7. There can be but one answer. It is the very problem we are now to consider. The key that opens that problem will unlock to the world the fairer half of this Republic, and free the halted feet of thousands whose eyes are already kindled with its beauty. Better than this, it will open the hearts of brothers for thirty years estranged, and clasp in lasting comradeship a million hands now withheld in doubt.

Nothing, Sir, but this problem, and the suspicions it breeds, hinders a clear understanding and a perfect union. Nothing else stands between us and such love as bound Georgia and Massachusetts at Valley Forge and Yorktown, chastened by the sacrifices at Manassas and Gettysburg, and illumined with the coming of better work and a nobler destiny than was ever wrought with the sword or sought at the cannon's mouth.

8. If this does not invite your patient hearing to-night, hear one thing more. My people, your brothers in the South —brothers in blood, in destiny, in all that is best in our past and future — are so beset with this problem that their very existence depends upon its right solution. Nor are they wholly to blame for its presence. The slave ships of the Republic sailed from your ports, the slaves worked in our fields. You will not defend the traffic, nor I the institution. But I do hereby declare that in its wise and humane administration, in lifting the slave to heights of which he had not dreamed in his savage home, and giving him a happiness he has not yet found in freedom, our fathers left their sons a saving and excellent heritage. In the storm of war this institution was lost. I thank God as heartily as you do that human slavery is gone forever from the American soil.

9. But the freedman remains. With him a problem without precedent or parallel. Note its appalling conditions. Two utterly dissimilar races on the same soil, with equal political and civil rights, almost equal in numbers, but terribly unequal in intelligence and responsibility, each pledged against fusion, one for a century in servitude to the other, and freed at last by a desolating war, the experiment sought by neither, but approached by both with doubt, — these are the conditions. Under these, adverse at every point, we are required to carry these two races in peace and honor to the end. Never, Sir, has such a task been given to mortal stewardship. Never before in this Republic has the white race divided on the

rights of an alien race. The red man was cut down as a weed, because he hindered the way of the American citizen. The yellow man was shut out of this Republic because he is an alien and inferior. The red man was owner of the land, the yellow man highly civilized and assimilable, but they hindered both sections — and are gone!

10. But the black man, affecting but one section, is clothed with every privilege of government and pinned to the soil, and my people commanded to make good at any hazard and at any cost, his full and equal heirship of American privilege and prosperity. It matters not that wherever the whites and blacks have touched, in any era or any clime, there has been irreconcilable violence. It matters not that no two races, however similar, have lived anywhere at any time on the same soil with equal rights in peace. In spite of these things we are commanded to make good this change of American policy which has not perhaps changed American prejudice — to make certain here what has elsewhere been impossible between whites and blacks — and to reverse, under the very worst conditions, the universal verdict of racial history. And driven, Sir, to this superhuman task with an impatience that brooks no delay, a rigor that accepts no excuse, and a suspicion that discourages frankness and sincerity. We do not shrink from this trial. It is so interwoven with our industrial fabric that we cannot disentangle it if we would — so bound up in our honorable obligation to the world that we would not if we could. Can we solve it? The God who gave it into our hands, He alone can know. But this the weakest and wisest of us do know: we cannot solve it with less than your tolerant and patient sympathy — with less than the knowledge that the blood that runs in your veins is our blood, and that when we have done our best, whether the issue be lost or won, we shall feel your strong arms about us and hear the beating of your approving hearts.

11. The resolute, clear-headed, broad-minded men of the South, the men whose genius made glorious every page of the first seventy years of American history, whose courage and fortitude you tested in five years of the fiercest war, whose energy has made bricks without straw and spread splendor amid the ashes of their war-wasted homes, — these men wear this problem in their hearts and their brains, by day and by night. They realize, as you cannot, what this problem means — what they owe to this kindly and dependent race — the measure of their debt to the world in whose despite they defended and maintained slavery. And though their feet are hindered in its undergrowth and their march encumbered with its burdens, they have lost neither the patience from which comes clearness nor the faith from which comes courage. Nor, Sir, when in passionate moments is disclosed to them that vague and awful shadow, with its lurid abysses and its crimson stains, into which I pray God they may never go, are they struck with more of apprehension than is needed to complete their consecration!

12. Such is the temper of my people. But what of the problem itself? Mr. President, we need not go one step farther unless you concede right here the people I speak for are as honest, as sensible, and as just as your people, seeking as earnestly as you would in their place, rightly to solve the problem that touches them at every vital point. If you insist that they are ruffians, blindly striving with bludgeon and shotgun to plunder and oppress a race, then I shall sacrifice my self-respect and tax your patience in vain. But admit that they are men of common sense and common honesty, wisely modifying an environment they cannot wholly disregard, guiding and controlling as best they can the vicious and irresponsible of either race, compensating error with frankness and retrieving in patience what they lose in passion, and conscious all the time that wrong means ruin, — admit this, and we may reach an understanding to-night.

13. The President of the United States in his late message to Congress, discussing the plea that the South should be left to solve this problem, asks: "Are they at work upon it? What solution do they offer? When will the black man cast a free ballot? When will he have the civil rights that are his?" I shall not here protest against the partisanry that, for the first time in our history in time of peace, has stamped with the great seal of our government a stigma upon the people of a great and loyal section, though I gratefully remember that the great dead soldier, who held the helm of state for the eight stormy years of reconstruction, never found need for such a step; and though there is no personal sacrifice I would not make to remove this cruel and unjust imputation on my people from the archives of my country!

14. But, Sir, backed by a record on every page of which is progress, I venture to make earnest and respectful answer to the questions that are asked. I bespeak your patience, while with vigorous plainness of speech, seeking your judgment rather than your applause, I proceed step by step. We give to the world this year a crop of 7,500,000 bales of cotton, worth $450,000,000, and its cash equivalent in grain, grasses, and fruit. This enormous crop could not have come from the hands of sullen and discontented labor. It comes from peaceful fields, in which laughter and gossip rise above the hum of industry, and contentment runs with the singing plow.

15. It is claimed that this ignorant labor is defrauded of its just hire. I present the tax books of Georgia, which show that the negro, 25 years ago a slave, has in Georgia alone $10,000,000 of assessed property, worth twice that much. Does not that record honor him and vindicate his neighbors? What people, penniless, illiterate, has done so well? For every Afro-American agitator, stirring the strife in which alone he prospers, I can show you a thousand negroes, happy in their cabin homes, tilling their own land by day, and at night taking from

the lips of their children the helpful message their state sends them from the schoolhouse door. And the schoolhouse itself bears testimony. In Georgia we added last year $250,000 to the school fund, making a total of more than $1,000,000 — and this in the face of prejudice not yet conquered and of the fact that the whites are assessed for $368,000,000, the blacks for $10,000,000, and yet 49 per cent of the beneficiaries are black children — and in the doubt of many wise men if education helps, or can help, our problem. Charleston, with her taxable values cut half in two since 1860, pays more in proportion for public schools than Boston. Although it is easier to give much out of much than little out of little, the South with one seventh of the taxable property of the country, with relatively larger debt, having received only one twelfth as much public land, and having back of its tax books none of the half billion of bonds that enrich the North, and though it pays annually $26,000,000 to your section as pensions, yet gives nearly one sixth of the public school fund. The South since 1865 has spent $122,000,000 in education, and this year is pledged to $37,000,000 for state and city schools, although the blacks, paying one thirtieth of the taxes, get nearly one half of the fund.

16. Go into our fields and see whites and blacks working side by side, on our buildings in the same squad, in our shops at the same forge. Often the blacks crowd the whites from work, or lower wages because of greater need or simpler habits, and yet are permitted because we want to bar them from no avenue in which their feet are fitted to tread. They could not there be elected orators of the white universities, as they have been here, but they do enter there a hundred useful trades that are closed against them here. We hold it better and wiser to tend the weeds in the garden than to water the exotic in the window. In the South, there are negro lawyers, teachers, editors, dentists, doctors, preachers, multiplying with the

increasing ability of their race to support them. In villages and towns they have their military companies equipped from the armories of the state, their churches and societies built and supported largely by their neighbors. What is the testimony of the courts? In penal legislation we have steadily reduced felonies to misdemeanors, and have led the world in mitigating punishment for crime, that we might save, as far as possible, this dependent race from its own weakness. In our penitentiary record 60 per cent of the prosecutors are negroes, and in every court the negro criminal strikes the colored juror, that white men may judge his case. In the North one negro in every 466 is in jail; in the South only one in 1865. In the North the percentage of negro prisoners is six times as great as native whites; in the South only four times as great. If prejudice wrongs him in Southern courts, the record shows it to be deeper in Northern courts.

17. I assert here, and a bar as intelligent and upright as the bar of Massachusetts will solemnly indorse my assertion, that in the Southern courts, from highest to lowest, pleading for life, liberty, or property, the negro has distinct advantage because he is a negro, apt to be overreached, oppressed; and that this advantage reaches from the juror in making his verdict to the judge in measuring his sentence. Now, Mr. President, can it be seriously maintained that we are terrorizing the people from whose willing hands come every year $1,000,000,000 of farm crops? or have robbed a people, who twenty-five years from unrewarded slavery have amassed in one state $20,000,000 of property? or that we intend to oppress the people we are arming every day? or deceive them when we are educating them to the utmost limit of our ability? or outlaw them when we work side by side with them? or reënslave them under legal forms when for their benefit we have even imprudently narrowed the limit of felonies and mitigated the severity of law? My fellow countrymen,

as you yourself may sometimes have to appeal to the bar of human judgment for justice and for right, give to my people to-night the fair and unanswerable conclusion of these incontestable facts.

18. But it is claimed that under this fair seeming there is disorder and violence. This I admit. And there will be until there is one ideal community on earth after which we may pattern. But how widely it is misjudged! It is hard to measure with exactness whatever touches the negro. His helplessness, his isolation, his century of servitude, these dispose us to emphasize and magnify his wrongs. This disposition, inflamed by prejudice and partisanry, has led to injustice and delusion. Lawless men may ravage a county in Iowa and it is accepted as an incident — in the South a drunken row is declared to be the fixed habit of the community. Regulators may whip vagabonds in Indiana by platoons, and it scarcely arrests attention — a chance collision in the South among relatively the same classes is gravely accepted as evidence that one race is destroying the other. We might as well claim that the Union was ungrateful to the colored soldiers who followed its flag, because a Grand Army post in Connecticut closed its doors to a negro veteran, as for you to give racial significance to every incident in the South or to accept exceptional grounds as the rule of our society. I am not one of those who becloud American honor with the parade of the outrages of either section, and belie American character by declaring them to be significant and representative. I prefer to maintain that they are neither, and stand for nothing but the passion and the sin of our poor fallen humanity. If society, like a machine, were no stronger than its weakest part, I should despair of both sections. But, knowing that society, sentient and responsible in every fiber, can mend and repair until the whole has the strength of the best, I despair of neither.

19. These gentlemen who come with me here, knit into Georgia's busy life as they are, never saw, I dare assert, an outrage committed on a negro! And if they did, not one of you would be swifter to prevent or punish. It is through them, and the men who think with them — making nine tenths of every Southern community — that these two races have been carried thus far with less of violence than would have been possible anywhere else on earth. And in their fairness and courage and steadfastness, more than in all the laws that can be passed or all the bayonets that can be mustered, is the hope of our future.

20. When will the black cast a free ballot? When ignorance anywhere is not dominated by the will of the intelligent; when the laborer anywhere casts a vote unhindered by his boss; when the vote of the poor anywhere is not influenced by the power of the rich; when the strong and the steadfast do not everywhere control the suffrage of the weak and shiftless, — then and not till then will the ballot of the negro be free. The white people of the South are banded, Mr. President, not in prejudice against the blacks, not in sectional estrangement, not in the hope of political dominion, but in a deep and abiding necessity. Here is this vast ignorant and purchasable vote — clannish, credulous, impulsive and passionate — tempting every art of the demagogue, but insensible to the appeal of the statesman. Wrongly started, in that it was led into alienation from its neighbor and taught to rely on the protection of an outside force, it cannot be merged and lost in the two great parties through logical currents, for it lacks political conviction and even that information on which conviction must be based. It must remain a faction — strong enough in every community to control on the slightest division of the whites. Under that division it becomes the prey of the cunning and unscrupulous of both parties. Its credulity is imposed on, its patience inflamed, its cupidity tempted, its

impulses misdirected, and even its superstition made to play its part in a campaign in which every interest of society is jeopardized and every approach to the ballot box debauched. It is against such campaigns as this, the folly and the bitterness and the danger of which every Southern community has drunk deeply, that the white people of the South are banded together. Just as you in Massachusetts would be banded if 300,000 black men, not one in a hundred able to read his ballot, banded in a race instinct, holding against you the memory of a century of slavery, taught by your late conquerors to distrust and oppose you, had already travestied legislation from your statehouse, and in every species of folly or villainy had wasted your substance and exhausted your credit.

21. But admitting the right of the whites to unite against this tremendous menace, we are challenged with the smallness of our vote. This has long been flippantly charged to be evidence, and has now been solemnly and officially declared to be proof of political turpitude and baseness on our part. Let us see. Virginia, a state now under fierce assault for this alleged crime, in 1888 cast 75 per cent of her vote. Massachusetts, the state in which I speak, 60 per cent of her vote. Was it suppression in Virginia and natural causes in Massachusetts? Last month Virginia cast 69 per cent of her vote, and Massachusetts, fighting in every district, cast only 49 per cent of hers. If Virginia is condemned because 31 per cent of her vote was silent, how shall this state escape in which 51 per cent was dumb? Let us enlarge this comparison. The sixteen Southern states in 1888 cast 67 per cent of their total vote, the six New England states but 63 per cent of theirs. By what fair rule shall the stigma be put upon one section, while the other escapes? A congressional election in New York last week, with the polling place within touch of every voter, brought out only 6,000 votes of 28,000 — and the lack of opposition is assigned as the natural cause. In a district in

my state, in which an opposition speech has not been heard in ten years, and the polling places are miles apart — under the unfair reasoning of which my section has been a constant victim — the small vote is charged to be proof of forcible suppression. In Virginia an average majority of 10,000, under hopeless division of the minority, was raised to 40,000; in Iowa, in the same election, a majority of 32,000 was wiped out, and an opposition majority of 8000 was established. The change of 40,000 votes in Iowa is accepted as political revolution; in Virginia an increase of 30,000 on a safe majority is declared to be proof of political fraud. I charge these facts and figures home, Sir, to the heart and conscience of the American people, who will not assuredly see one section condemned for what another section is excused! If I can drive them through the prejudice of the partisan, and have them read and pondered at the fireside of the citizen, I will rest on the judgment there formed and the verdict there rendered!

22. It is deplorable, Sir, that in both sections a larger percentage of the vote is not regularly cast, but more inexplicable that this should be so in New England than in the South. What invites the negro to the ballot box? He knows that, of all men, it has promised him most and yielded him least. His first appeal to suffrage was the promise of "forty acres and a mule." His second, the threat that Democratic success meant his reënslavement. Both have proved false in his experience. He looked for a home, and he got the freedman's bank. He fought under the promise of the loaf, and in victory was denied the crumbs. Discouraged and deceived, he has realized at last that his best friends are his neighbors, with whom his lot is cast, and whose prosperity is bound up in his, and that he has gained nothing in politics to compensate the loss of their confidence and sympathy that is at last his best and his enduring hope. And so, without leaders or organization — and lacking the resolute heroism of my party friends in Vermont

that makes their hopeless march over the hills a high and inspiring pilgrimage—he shrewdly measures the occasional agitator, balances his little account with politics, touches up his mule and jogs down the furrow, letting the mad world jog as it will!

23. The negro vote can never control in the South, and it would be well if partisans in the North would understand this. I have seen the white people of a state set about by black hosts until their fate seemed sealed. But, Sir, some brave man, banding them together, would rise, as Elisha rose in beleaguered Samaria, and touching their eyes with faith, bid them look abroad to see the very air "filled with the chariots of Israel and the horsemen thereof." If there is any human force that cannot be withstood, it is the power of the banded intelligence and responsibility of a free community. Against it, numbers and corruption cannot prevail. It cannot be forbidden in the law or divorced in force. It is the inalienable right of every free community and the just and righteous safeguard against an ignorant or corrupt suffrage. It is on this, Sir, that we rely in the South. Not the cowardly menace of mask or shotgun; but the peaceful majesty of intelligence and responsibility, massed and unified for the protection of its homes and the preservation of its liberty. That, Sir, is our reliance and our hope, and against it all the powers of the earth shall not prevail. You may pass force bills, but they will not avail. You may surrender your own liberties to Federal election law; you may submit, in fear of a necessity that does not exist, that the very form of this government may be changed; this old state that holds in its charter the boast that "it is a free and independent commonwealth"—it may deliver its election machinery into the hands of the government it helped to create; but never, Sir, will a single state of this Union, North or South, be delivered again to the control of an ignorant and inferior race. We wrested our state government from negro supremacy when the Federal drumbeat

rolled closer to the ballot box and Federal bayonets hedged it deeper about than will ever again be permitted in this free government. But, Sir, though the cannon of this Republic thundered in every voting district of the South, we still should find in the mercy of God the means and the courage to prevent its reëstablishment!

24. I regret, Sir, that my section, hindered with this problem, stands in seeming estrangement to the North. If, Sir, any man will point out to me a path down which the white people of the South divided may walk in peace and honor, I will take that path though I take it alone — for at the end, and nowhere else, I fear, is to be found the full prosperity of my section and the full restoration of this Union. But, Sir, if the negro had not been enfranchised, the South would have been divided and the Republic united. What solution, then, can we offer for this problem? Time alone can disclose it to us. We simply report progress and ask your patience. If the problem be solved at all — and I firmly believe it will, though nowhere else has it been — it will be solved by the people most deeply bound in interest, most deeply pledged in honor to its solution. I had rather see my people render back this question rightly solved than to see them gather all the spoils over which faction has contended since Catiline conspired and Cæsar fought.

25. Meantime we treat the negro fairly, measuring to him justice in the fullness the strong should give to the weak, and leading him in the steadfast ways of citizenship that he may no longer be the prey of the unscrupulous and the sport of the thoughtless. We open to him every pursuit in which he can prosper, and seek to broaden his training and capacity. We seek to hold his confidence and friendship, and to pin him to the soil with ownership, that he may catch in the fire of his own hearthstone that sense of responsibility the shiftless can never know. And we gather him into that alliance of

intelligence and responsibility that, though it now runs close to racial lines, welcomes the responsible and intelligent of any race. By this course, confirmed in our judgment and justified in the progress already made, we hope to progress slowly but surely to the end.

26. The love we feel for that race you cannot measure nor comprehend. As I attest it here, the spirit of my old black mammy from her home up there looks down to bless, and through the tumult of this night steals the sweet music of her croonings as thirty years ago she held me in her black arms and led me smiling into sleep. This scene vanishes as I speak, and I catch a vision of an old Southern home, with its lofty pillars, and its white pigeons fluttering down through the golden air. I see women with strained and anxious faces and children alert yet helpless. I see night come down with its dangers and its apprehensions, and in a big homely room I feel on my tired head the touch of loving hands — now worn and wrinkled, but fairer to me yet than the hands of mortal woman, and stronger yet to lead me than the hands of mortal man — as they lay a mother's blessing there while at her knees, the truest altar I yet have found, I thank God that she is safe in her sanctuary, because her slaves, sentinel in the silent cabin or guard at her chamber door, put a black man's loyalty between her and danger.

27. I catch another vision. The crisis of battle — a soldier struck, staggering, fallen. I see a slave, scuffling through the smoke, winding his black arms about the fallen form, reckless of the hurtling death, bending his trusty face to catch the words that tremble on the stricken lips, so wrestling meantime with agony that he would lay down his life in his master's stead. I see him by the weary bedside, ministering with uncomplaining patience, praying with all his humble heart that God will lift his master up, until death comes in mercy and in honor to still the soldier's agony and seal the soldier's life.

I see him by the open grave, mute, motionless, uncovered, suffering for the death of him who in life fought against his freedom. I see him when the mound is heaped and the great drama of that life is closed, turn away and with downcast eyes and uncertain step start out into new and strange fields, faltering, struggling, but moving on, until his shambling figure is lost in the light of this better and brighter day. And from the grave comes a voice saying: "Follow him! Put your arms about him in his need, even as he put his about me. Be his friend as he was mine." And out into this new world — strange to me as to him, dazzling, bewildering both — I follow! And may God forget my people when they forget him.

28. Whatever the future may hold for them, — whether they plod along in the servitude from which they have never been lifted since the Cyrenian was laid hold upon by the Roman soldiers and made to bear the cross of the fainting Christ; whether they find homes again in Africa, and thus hasten the prophecy of the psalmist who said, "And suddenly Ethiopia shall hold out her hands unto God"; whether, forever dislocated and separated, they remain a weak people beset by stronger, and exist as the Turk, who lives in the jealousy rather than in the conscience of Europe; or whether in this miraculous Republic they break through the caste of twenty centuries and, belying universal history, reach the full stature of citizenship, and in peace maintain it, — we shall give them uttermost justice and abiding friendship. And whatever we do, into whatever seeming estrangement we may be driven, nothing shall disturb the love we bear this Republic, or mitigate our consecration to its service.

29. I stand here, Mr. President, to profess no new loyalty. When General Lee, whose heart was the temple of our hopes and whose arm was clothed with our strength, renewed his allegiance to the government at Appomattox, he spoke from a heart too great to be false, and he spoke for every honest man

from Maryland to Texas. From that day to this, Hamilcar has nowhere in the South sworn young Hannibal to hatred and vengeance, but everywhere to loyalty and to love. Witness the soldier standing at the base of a Confederate monument above the graves of his comrades, his empty sleeve tossing in the April wind, adjuring the young men about him to serve as honest and loyal citizens the government against which their fathers fought. This message, delivered from that sacred presence, has gone home to the hearts of my fellows! And, sir, I declare here, if physical courage be always equal to human aspiration, that they would die, Sir, if need be, to restore this Republic their fathers fought to dissolve!

30. Such, Mr. President, is this problem as we see it; such is the temper in which we approach it; such the progress made. What do we ask of you? First, patience; out of this alone can come perfect work. Second, confidence; in this alone can you judge fairly. Third, sympathy; in this you can help us best. Fourth, give us your sons as hostages. When you plant your capital in millions, send your sons that they may help know how true are our hearts and may help swell the Anglo-Saxon current until it can carry without danger this black infusion. Fifth, loyalty to the Republic — for there is sectionalism in loyalty as in estrangement. This hour little needs the loyalty that is loyal to one section and yet holds the other in enduring suspicion and estrangement. Give us the broad and perfect loyalty that loves and trusts Georgia alike with Massachusetts — that knows no South, no North, no East, no West; but endears with equal and patriotic love every foot of our soil, every state of our Union.

31. A mighty duty, Sir, and a mighty inspiration impels every one of us to-night to lose in patriotic consecration whatever estranges, whatever divides. We, Sir, are Americans, and we fight for human liberty. The uplifting force of the American idea is under every throne on earth. France, Brazil

— these are our victories. To redeem the earth from kingcraft and oppression — this is our mission. And we shall not fail. God has sown in our soil the seed of his millennial harvest, and he will not lay the sickle to the ripening crop until his full and perfect day has come. Our history, Sir, has been a constant and expanding miracle from Plymouth Rock and Jamestown all the way — aye, even from the hour when, from the voiceless and trackless ocean, a new world rose to the sight of the inspired sailor. As we approach the fourth centennial of that stupendous day, when the old world will come to marvel and to learn, amid our gathered treasures, let us resolve to crown the miracles of our past with the spectacle of a Republic compact, united, indissoluble in the bonds of love, loving from the lakes to the Gulf, the wounds of war healed in every heart as on every hill, serene and resplendent at the summit of human achievement and earthly glory, blazing out the path, and making clear the way up which all the nations of the earth must come in God's appointed time!

THE PURITAN AND THE CAVALIER[1]

HENRY WATTERSON

A RESPONSE TO THE TOAST, "THE PURITAN AND THE CAVALIER," AT THE DINNER OF THE NEW ENGLAND SOCIETY, NEW YORK CITY, SATURDAY EVENING, DECEMBER 22, 1897.

INTRODUCTION

Henry Watterson, journalist and orator, was born in Washington, District of Columbia, February 16, 1840. He was educated by private tutors. In 1861 he went to Nashville, Tennessee, and edited the *Republican Banner*. He served on staff duty in the Confederate army from 1861 to 1863, and later was Chief of Scouts in General Johnston's army. After the war he again edited the *Banner*. In 1867 he went to Louisville, Kentucky, and founded the *Courier-Journal* which he has made one of the foremost of American newspapers. As one of the leading Democrats of the country, Mr. Watterson successfully opposed the reactionary movement of the Southern extremists against the reconstructive amendments to the Constitution, supported Horace Greeley for the presidency, and was chief among the supporters of Samuel J. Tilden. He has represented Kentucky in succeeding national conventions and exercised a decisive influence in shaping the party policy. For years he has been an energetic and consistent free trader. At the Democratic National Convention of 1892 he declined the chairmanship of the Committee on Resolutions, which subsequently made a report unsatisfactory to the tariff reformers, and he led a fight in the convention, resulting in the

[1] From *The Compromises of Life*. Copyright, 1903, by Fox, Duffield & Co.

adoption, by a two-thirds vote, of a minority report made by a single member of the committee. He has steadily refused office, but in 1876–1877 accepted a seat in Congress, declining a reëlection. He also declined, in 1896, an offer of the nomination for president on the National (gold) Democratic ticket.

Mr. Watterson has published *Oddities of Southern Life and Character* (1892); *History of the Spanish-American War* (1898); and *Compromises of Life* (1903). The latter book, from which the speech in this volume is taken, is a compilation of his lectures and speeches.

Through all of Mr. Watterson's writing and speaking one dominant theme will be found, — the national destiny and the homogeneity of the people. To Northern politicians he has set a good example in charity and tolerance. Like Grady, in both his editorial and platform utterances he has effectively represented the policy of conciliation between the North and South. The homogeneity of the American people, based on the text, "Blessed be tolerance," is humorously shown in the following speech. Upon the occasion of its delivery, Honorable Elihu Root, president of the New England Society, introduced Mr. Watterson in the following words:

"Gentlemen, we are forced to recognize the truth of the observation that all the people of New England are not Puritans; we must admit an occasional exception. It is equally true, I am told, that all the people of the South are not Cavaliers; but there is one Cavalier without fear and without reproach, the splendid courage of whose convictions shows how close together the highest examples of different types can be among godlike men, — a Cavalier of the South, of Southern blood and Southern life, who carries in thought and in deed all the serious purpose and disinterested action that characterized the Pilgrim fathers whom we commemorate. He comes from an impressionist state where the grass is blue, where the men are either all white or all black, and where, we are told, quite often the settlements are painted red. He is a soldier, a statesman, a scholar, and above all, a lover; and among all the world which loves a lover, the descendants of those who, generation after generation, with tears and laughter, have sympathized with John Alden and Priscilla, cannot fail to open their hearts in sympathy to Henry Watterson and his star-eyed goddess."

1. Eleven years ago to-night, there stood where I am standing now a young Georgian, who, not without reason, recognized the "significance" of his presence here, — "the first Southerner to speak at this board" (a circumstance, let me add, not very creditable to any of us) — and who, in words whose eloquence I cannot hope to recall, appealed from the New South to New England for a united country. He was my disciple, my protégé, my friend. He came to me from the Southern schools, where he had perused the arts of oratory and letters, to get a few lessons in journalism, as he said; needing so few, indeed, that, but a little later, I sent him to one of the foremost journalists of this foremost city, bearing a letter of introduction, which described him as "the greatest boy ever born in Dixie, or anywhere else." He is gone now. But, short as his life was, its heaven-born mission was fulfilled; the dream of its childhood was realized; for he had been appointed by God to carry a message of peace on earth, good will to men, and, this done, he vanished from the sight of mortal eyes, even as the dove from the ark.

2. I mean to take up the word where Grady left it off; but I shall continue the sentence with a somewhat larger confidence, and perhaps with a somewhat fuller meaning; because, notwithstanding the Puritan trappings, traditions, and associations which surround me — visible illustrations of the self-denying fortitude of the Puritan character and the somber simplicity of the Puritan taste and habit — I never felt less out of place in all my life.

3. To tell you the truth, I am afraid that I have gained access here on false pretenses; for I am no Cavalier at all; just plain Scotch-Irish; one of those Scotch-Irish Southerners who ate no fire in the green leaf and has eaten no dirt in the brown, and who, accepting for the moment the terms Puritan and Cavalier in the sense an effete sectionalism once sought to ascribe to them, — descriptive labels at once classifying and

separating North and South, verbal redoubts along that mythical line called Mason and Dixon, over which there were supposed by the extremists of other days to be no bridges, — I am much disposed to say, "A plague o' both your houses!"

4. Each was good enough and bad enough, in its way, while they lasted; each in its turn filled the English-speaking world with mourning; and each, if either could have resisted the infection of the soil and climate they found here, would be to-day striving at the sword's point to square life by the iron rule of theocracy, or to round it by the dizzy whirl of a petticoat! It is very pretty to read about the May pole in Virginia, and very edifying and inspiring to celebrate the deeds of the Pilgrim fathers. But there is not Cavalier blood enough left in the Old Dominion to produce a single crop of first families, while, out in Nebraska and Iowa, they claim that they have so stripped New England of her Puritan stock as to spare her hardly enough for farm hands. This I do know, from personal experience, that it is impossible for the stranger-guest, sitting beneath a bower of roses in the Palmetto Club at Charleston, or by a mimic log-heap in the Algonquin Club at Boston, to tell the assembled company apart, particularly after ten o'clock in the evening! Why, in that great, final struggle between the Puritans and the Cavaliers — which we still hear sometimes casually mentioned, although it ended nearly thirty years ago — there had been such a mixing up of Puritan babies and Cavalier babies during the two or three generations preceding it that the surviving grandmothers of the combatants could not, except for their uniforms, have picked out their own on any field of battle!

5. Turning to the *Cyclopædia of American Biography*, I find that Webster had all the vices that are supposed to have signalized the Cavalier, and Calhoun all the virtues that are claimed for the Puritan. During twenty years three statesmen of Puritan origin were the chosen party leaders of Cavalier

Mississippi: Robert J. Walker, born and reared in Pennsylvania; John A. Quitman, born and reared in New York, and Sargent S. Prentiss, born and reared in the good old State of Maine. That sturdy Puritan, John Slidell, never saw Louisiana until he was old enough to vote and to fight: native here, — an alumnus of Columbia College, — but sprung from New England ancestors. Albert Sidney Johnston, the most resplendent of modern Cavaliers, — from tip to toe a type of the species, the very rose and expectancy of the young Confederacy, — did not have a drop of Southern blood in his veins; Yankee on both sides of the house, though born in Kentucky a little while after his father and mother arrived there from Connecticut. The ambassador who serves our government near the French Republic was a gallant Confederate soldier and is a representative Southern statesman; but he owns the estate in Massachusetts where his father was born, and where his father's fathers lived through many generations.

6. And the Cavaliers, who missed their stirrups, somehow, and got into Yankee saddles? The woods were full of them. If Custer was not a Cavalier, Rupert was a Puritan. And Sherwood and Wadsworth and Kearny, and McPherson, and their dashing companions and followers! The one typical Puritan soldier of the war — mark you! — was a Southern, and not a Northern, soldier: Stonewall Jackson, of the Virginia line. And, if we should care to pursue the subject further back, what about Ethan Allen and John Stark and Mad Anthony Wayne, Cavaliers each and every one! Indeed, from Israel Putnam to Buffalo Bill, it seems to me the Puritans have had rather the best of it in turning out Cavaliers. So the least said about the Puritan and the Cavalier — except as blessed memories or horrid examples — the better for historic accuracy.

7. If you wish to get at the bottom facts, I don't mind telling you, in confidence, that it was we Scotch-Irish who vanquished both of you—some of us in peace, others of us in war; supplying

the missing link of adaptability, the needed ingredient of common sense, the conservative principle of creed and action, to which this generation of Americans owes its intellectual and moral emancipation from frivolity and pharisaism, its rescue from the Scarlet Woman and the mailed hand, and its crystallization into a national character and polity, ruling by force of brains and not by force of arms.

8. Gentlemen — Sir — I, too, have been to Boston. Strange as the admission may seem, it is true; and I live to tell the tale. I have been to Boston; and, when I declare that I found there many things that suggested the Cavalier and did not suggest the Puritan, I shall not say I was sorry. But, among other things, I found there a civilization perfect in its union of the art of living with the grace of life; an Americanism ideal in its simple strength. Grady told us, and told us truly, of that typical American, who, in Dr. Talmage's mind's eye, was coming, but who, in Abraham Lincoln's actuality, had already come. In some recent studies into the career of that great man, I have encountered many startling confirmations of this judgment; and from that rugged trunk, drawing its sustenance from gnarled roots, interlocked with Cavalier sprays and Puritan branches deep beneath the soil, shall spring, is springing, a shapely tree — symmetric in all its parts — under whose sheltering boughs this nation shall have the new birth of freedom Lincoln promised it, and mankind the refuge which was sought by the forefathers when they fled from oppression. Thank God, the ax, the gibbet, and the stake have had their day. They have gone, let us hope, to keep company with the lost arts. It has been demonstrated that great wrongs may be redressed and great reforms be achieved without the shedding of one drop of human blood; that vengeance does not purify, but brutalizes; and that tolerance, which in private transactions is reckoned a virtue, becomes in public affairs a dogma of the most far-seeing statesmanship. Else how could this noble city have been redeemed from bondage? It was held like a castle of the

Middle Ages by robber barons who levied tribute right and left. Yet have the mounds and dikes of corruption been carried — from buttress to bell tower the walls of crime have fallen — without a shot out of a gun, and still no fires of Smithfield to light the pathway of the victor, no bloody assizes to vindicate the justice of the cause; nor need of any.

9. So I appeal from the men in silken hose who danced to music made by slaves and called it freedom, from the men in bell-crowned hats who led Hester Prynne to her shame and called it religion, to that Americanism which reaches forth its arms to smite wrong with reason and truth, secure in the power of both. I appeal from the patriarchs of New England to the poets of New England; from Endicott to Lowell; from Winthrop to Longfellow; from Norton to Holmes; and I appeal in the name and by the rights of that common citizenship — of that common origin, back both of the Puritan and the Cavalier, to which all of us owe our being. Let the dead past, consecrated by the blood of its martyrs, not by its savage hatreds, darkened alike by kingcraft and priestcraft — let the dead past bury its dead. Let the present and the future ring with the song of the singers. Blessed be the lessons they teach, the laws they make. Blessed be the eye to see, the light to reveal. Blessed be tolerance, sitting ever on the right hand of God to guide the way with loving word, as blessed be all that brings us nearer the goal of true religion, true republicanism, and true patriotism, distrust of watchwords and labels, shams and heroes, belief in our country and ourselves. It was not Cotton Mather, but John Greenleaf Whittier, who cried:

> Dear God and Father of us all,
> Forgive our faith in cruel lies,
> Forgive the blindness that denies.
>
> Cast down our idols — overturn
> Our bloody altars — make us see
> Thyself in Thy humanity!

EULOGY OF ROBERT E. LEE

JOHN WARWICK DANIEL

AN ORATION DELIVERED AT THE UNVEILING OF THE RECUMBENT FIGURE OF GENERAL LEE, AT WASHINGTON AND LEE UNIVERSITY, LEXINGTON, VIRGINIA, JUNE 28, 1883.

INTRODUCTION

John Warwick Daniel, lawyer, politician, and orator, was born in Lynchburg, Virginia, in 1842, and has since made that city his home. He fought on the Confederate side in the Civil War, and rose to the rank of colonel. After the war he studied law, and soon became active in politics. He was for some time a member of the state legislature, and since 1885 has been United States Senator from Virginia.

Mr. Daniel has long enjoyed a reputation as one of the leading speakers in his section, and in the Senate and in Democratic national conventions his oratorical talents have commanded a wider hearing. Both he and Mr. Cockran have gained attention by crossing swords with Mr. Bryan in Democratic nominating conventions.

Mr. Daniel's style, judged by the oration that follows, is somewhat florid, but perhaps this is in part explained by the subject and the occasion. The occasion, which was the unveiling of a statue of Robert E. Lee, brought together an audience of about ten thousand people, including a large number of ex-Confederates, all in thorough sympathy with the speaker. An ex-Confederate himself, Mr. Daniel was deeply moved by emotions of loyalty and love — emotions which found a ready response in the hearts of his hearers. The official report of the proceedings states that "Major Daniel for three hours held his audience by the spell of his eloquence, moving it now to applause, and now to tears."

1. MR. PRESIDENT, MY COMRADES, AND COUNTRYMEN: There was no happier or lovelier home than that of Colonel Robert Edward Lee in the spring of 1861, when for the first time its threshold was darkened with the omens of civil war.

2. Crowning the green slopes of the Virginia hills that overlook the Potomac, and embowered in stately trees, stood the venerable mansion of Arlington, facing a prospect of varied and imposing beauty. Its broad porch and widespread wings held out open arms, as it were, to welcome the coming guest. Its simple Doric columns graced domestic comfort with a classic air. Its halls and chambers were adorned with the portraits of patriots and heroes, and with illustrations and relics of the great Revolution, and of the Father of his Country. And within and without, history and tradition seemed to breathe their legends upon a canvas as soft as a dream of peace.

3. The noble river, which in its history, as well as in its name, carries us back to the days when the red man trod its banks, sweeps in full and even flow along the forefront of the landscape; while beyond its waters stretch the splendid avenues and rise the gleaming spires of Washington; and over all, the great white dome of the National Capitol looms up against the eastern sky, like a glory in the air.

4. Southward and westward, toward the blue rim of the Alleghenies, roll away the pine and oak clad hills, and the fields of the "Old Dominion," dotted here and there with the homes of a people of simple tastes and upright minds, renowned for their devotion to their native land, and for their fierce love of liberty; a people who had drunk into their souls with their mother's milk, that man is of right, and ought to be, free.

5. On the one hand there was impressed upon the most casual eye that contemplated the pleasing prospect, the munificence and grandeur of American progress, the arts of industry and commerce, and the symbols of power. On the other hand,

Nature seemed to woo the heart back to her sacred haunts, with vistas of sparkling waters, and verdant pastures, and many a wildwood scene; and to penetrate its deepest recesses with the halcyon charm that ever lingers about the thought of *Home*.

6. The head of the house established here was a man whom Nature had richly endowed with graces of person, and high qualities of head and heart. Fame had already bound his brow with her laurel, and Fortune had poured into his lap her golden horn. Himself a soldier, and colonel in the army of the United States, the son of the renowned "Light Horse Harry Lee," who was the devoted friend and compatriot of Washington in the Revolutionary struggle, and whose memorable eulogy upon his august chief has become his epitaph; descended indeed from a long line of illustrious progenitors, whose names are written on the brightest scrolls of English and American history, from the conquest of the Norman at Hastings to the triumph of the Continentals at Yorktown, — he had already established his own martial fame at Vera Cruz, Cerro Gordo, Contreras, Cherubusco, Molino del Rey, Chapultepec, and Mexico, and had proved how little he depended upon any merit but his own. Such was his early distinction, that when but a captain, the Cuban Junta had offered to make him the leader of their revolutionary movement for the independence of Cuba, — a position which, as an American officer, he felt it his duty to decline. And so deep was the impression made of his genius and his valor, that General Scott, Commander in Chief of the army in which he served, had declared that he "was the best soldier he ever saw in the field," "the greatest military genius in America"; that "if opportunity offered, he would show himself the foremost captain of his times"; and that "if a great battle were to be fought for the liberty or slavery of the country, his judgment was that the commander should be Robert Lee."

7. Wedded to her who had been the playmate of his boyhood, and who was worthy in every relation to be the companion of his bosom, sons and daughters had risen up to call them blessed, and there, decorated with his country's honors and surrounded by "love, obedience, and troops of friends," the host of Arlington seemed to have filled the measure of generous desire with whatever of fame or happiness fortune can add to virtue. And had the pilgrim started in quest of some happier spot than the Vale of Rasselas, well might he have paused by this threshold and doffed his "sandal shoon."

8. So situated was Colonel Lee in the spring of 1861, upon the verge of the momentous revolution of which he became so mighty a pillar and so glorious a chieftain. But we cannot estimate the struggle it cost him to take up arms against the Union, nor the sacrifice he made, nor the pure devotion with which he consecrated his sword to his native state, without looking beyond his physical surroundings, and following further the suggestions of his history and character, for the springs of action which prompted his course. Colonel Lee was emphatically a Union man; and Virginia, to the crisis of dissolution, was a Union state. He loved the Union with a soldier's ardent loyalty to the government he served, and with a patriot's faith and hope in the institutions of his country. His ancestors had been among the most distinguished and revered of its founders; his own life from youth upward had been spent and his blood shed in its service, and two of his sons, following his footsteps, held commissions in the army.

9. He was born in the same county, and descended from the same strains of English blood from which Washington sprang, and was united in marriage with Mary Custis, the daughter of his adopted son. He had been reared in the school of simple manners and lofty thoughts which belonged to the elder generation; and with Washington as his exemplar of manhood and his ideal of wisdom, he reverenced his

character and fame and work with a feeling as near akin to worship as any that man can have for aught that is human.

10. Unlike the statesmen of the hostile sections, who were constantly thrown into the provoking conflicts of political debate, he had been withdrawn by his military occupations from scenes calculated to irritate or chill his kindly feelings toward the people of the North; and on the contrary — in camp, and field, and social circle — he had formed many ties of friendship with its most esteemed soldiers and citizens. With the reticence becoming his military office, he had taken no part in the controversies which preceded the fatal rupture between the states — other than the good man's part, to "speak the soft answer that turns away wrath," and to plead for that forbearance and patience which alone might bring about a peaceful solution of the questions at issue.

11. Years of his professional life he had spent in Northern communities, and, always a close observer of men and things, he well understood the vast resources of that section, and the hardy, industrious, and resolute character of its people; and he justly weighed their strength as a military power. When men spoke of how easily the South would repel invasion he said: "You forget that we are all Americans." And when they prophesied a battle and a peace, he predicted that it would take at least four years to fight out the impending conflict. None was more conscious than he that each side undervalued and misunderstood the other. He was, moreover, deeply imbued with the philosophy of history and the course of its evolutions, and well knew that in an upheaval of government deplorable results would follow which were not thought of in the beginning, or, if thought of, would be disavowed, belittled and deprecated. And eminently conservative in his cast of mind and character, every bias of his judgment, as every tendency of his history, filled him with yearning and aspiration for the peace of his country and the perpetuity of the Union.

Is it a wonder then, as the storm of revolution lowered, Colonel Lee, then with his regiment, the Second Cavalry, in Texas, wrote thus to his son in January, 1861 :

12. "The South, in my opinion, has been aggrieved by the acts of the North as you say. I feel the aggression, and am willing to take any proper steps for redress. It is the principle I contend for, not individual or private benefit. As an American citizen, I take great pride in my country, her prosperity and institutions, and would defend any state if her rights were invaded. But I can anticipate no greater calamity for the country than a dissolution of the Union. It would be an accumulation of all evils we complain of, and I am willing to sacrifice everything but honor for its preservation. I hope, therefore, that all constitutional means will be exhausted before there is a resort to force. Secession is nothing but revolution. . . . Still, a Union that can only be maintained by swords and bayonets, and in which strife and civil war are to take the place of love and kindness, has no charm for me. I shall mourn for my country and for the welfare and progress of mankind. If the Union is dissolved, and the government is disrupted, I shall return to my native state and share the miseries of my people, and, save in defense, will draw my sword on none."

. . . . . .

13. There was naught on earth that could swerve Robert E. Lee from the path where, to his clear comprehension, honor and duty lay. To the statesman, Mr. Francis Preston Blair, who brought him the tender of supreme command of the Union forces, he answered: "Mr. Blair, I look upon secession as anarchy. If I owned the four millions of slaves in the South, I would sacrifice them all to the Union. But how can I draw my sword against Virginia?"

14. Draw his sword against Virginia? Perish the thought! Over all the voices that called him he heard the still small voice that ever whispers to the soul of the spot that gave it

birth, and over every ambitious dream there rose the face of the angel that guards the door of home.

15. On the twentieth of April, as soon as the news of Virginia's secession reached him, he resigned his commission in the army of the United States, and thus wrote to his sister who remained with her husband on the Union side: "With all my devotion to the Union, and the feeling of loyalty and duty of an American citizen, I have not been able to make up my mind to raise my hand against my relatives, my children, my home. I have therefore resigned my commission in the army, and save in the defense of my native state (with the sincere hope that my poor services may never be needed) I hope I may never be called upon to draw my sword."

16. Bidding an affectionate adieu to his old friend and commander, General Scott, who mourned his loss, but nobly expressed his confidence in his motives, he repaired to Richmond. Governor John Letcher immediately appointed him to the commander in chief of the Virginia forces, and the Convention unanimously confirmed the nomination. Memorable and impressive was the scene when he came into the presence of that body on April 23d. Its venerable president, John Janney, with brief, sententious eloquence, addressed him, and concluded saying:

17. "Sir, we have by this unanimous vote expressed our convictions that you are at this day, among the living citizens of Virginia, 'first in war.' We pray to God most fervently that you may so conduct the operations committed to your charge, that it may be said of you that you are 'first in peace,' and when that time comes, you will have earned the still prouder distinction of being 'first in the hearts of your countrymen.' Yesterday your mother, Virginia, placed her sword in your hand upon the implied condition that we know you will keep in letter and in spirit: that you will draw it only in defense, and that you will fall with it in your hand rather than the object for which it was placed there should fail."

18. General Lee thus answered: "Profoundly impressed with the solemnity of the occasion, for which I must say I was not prepared, I accept the position assigned me by your partiality. I would have preferred had your choice fallen upon an abler man. Trusting in Almighty God, an approving conscience, and the aid of my fellow-citizens, I devote myself to the service of my native state, in whose behalf alone will I ever again draw my sword."

19. Thus came Robert E. Lee to the state of his birth and to the people of his blood in their hour of need! Thus, with as chaste a heart as ever plighted its faith until death, for better or for worse, he came to do, to suffer, and to die for us who to-day are gathered in awful reverence and in sorrow unspeakable to weep our blessings upon his tomb.

20. I pause not here to defend the course of General Lee, as that defense may be drawn from the constitution of a Republic which was born in the sublime protest of its people against bayonet rule, and founded on the bed-rock principle of free government, that all free governments "must derive their just powers from the consent of the governed." I pause not to trace the history or define the grounds of that theory of constitutional construction which maintained the right of secession from the Union as an element of sovereign statehood — a theory which has found ablest and noblest advocacy in every section of the country. The tribunal is not yet formed that would hearken to such defense, nor is this the time or place to utter it. And to my mind there is for Lee and his compatriots a loftier and truer vindication than any that may be deduced from codes, constitutions, and conventional articles of government. A great revolution need never apologize for nor explain itself. There it is! — the august and thrilling rise of a whole population! And the fact that it is there is the best evidence of its right to be there. None but great inspirations underlie great actions. None but great causes can ever

produce great events. A transient gust of passion may turn a crowd into a mob, a temporary impulse may swell a mob into a local insurrection; but when a whole people stand to their guns before their hearthstones, and as one man resist what they deem aggression; when for long years they endure poverty and starvation, and dare danger and death to maintain principles which they deem sacred; when they shake a continent with their heroic endeavors and fill the world with the glory of their achievements, history can make for them no higher vindication than to point to their deeds and say — "Behold!"

21. A people is its own judge. Under God there can be no higher judge for them to seek or court or fear. In the supreme moments of national life, as in the lives of individuals, the actor must resolve and act within himself alone. The Southern states acted for themselves, the Northern states for themselves, Virginia for herself. And when the lines of battle formed, Robert Lee took his place in the line beside his people, his kindred, his children, his home. Let his defense rest on this fact alone. Nature speaks it. Nothing can strengthen it. Nothing can weaken it. The historian may compile; the casuist may dissect; the statesman may expatiate; the advocate may plead; the jurist may expound; but, after all, there can be no stronger or tenderer tie than that which binds the faithful heart to kindred and to home. And on that tie — stretching from the cradle to the grave, spanning the heavens, and riveted through eternity to the throne of God on high, and underneath in the souls of good men and true — on that tie rests, stainless and immortal, the fame of Robert Lee.

[Here Mr. Daniel traced Lee's career during the Civil War, and continued as follows.]

22. Thus feebly and imperfectly have I attempted to trace the military achievements and services of him to whose memory this day is dedicated. Lee the general stands abreast with

the greatest captains of all time, and Lee the patriot has universal homage. It is now of Lee the man that I would speak.

23. In personal appearance, General Lee was a man whom once to see was ever to remember. His figure was tall, erect, well proportioned, lithe, and graceful. A fine head, with broad, uplifted brow, and features boldly but yet delicately chiseled, bore the high aspect of one born to command. The firm yet mobile lips and the thickset jaw were expressive of daring and resolution; and the dark scintillant eye flashed with the light of a brilliant intellect and a fearless spirit. His whole countenance, indeed, bespoke alike a powerful mind and indomitable will, yet beamed with charity, gentleness, and benevolence. In his manners, quiet, reserve, unaffected courtesy and native dignity, made manifest the character of one who can only be described by the name of gentleman. And taken all in all, his presence possessed that grave and simple majesty which commanded instant reverence and repressed familiarity; and yet so charmed by a certain modesty and gracious deference that reverence and confidence were ever ready to kindle into affection. It was impossible to look upon him and not to recognize at a glance that in him Nature gave assurance of a man created great and good.

24. Mounted in the field, and at the head of his troops, a glimpse of Lee was an inspiration. His figure was as distinctive as that of Napoleon. Ah! soldiers! who can forget it? The black slouch hat, the cavalry boots, the dark cape, the plain gray coat without an ornament but the three stars on the collar, the calm, victorious face, the splendid, manly figure on the gray war horse, that steps as if proudly conscious of his rider, — he looked every inch the true knight, the grand, invincible champion of a great principle.

. . . . . .

25. At the bottom of all true heroism is unselfishness. Its crowning expression is sacrifice. The world is suspicious of

vaunted heroes. They are so easily manufactured. So many feet are cut and trimmed to fit Cinderella's slippers that we hesitate long before we hail the princess. But when the true hero has come, and we know that here he is, in verity, ah! how the hearts of men leap forth to greet him! how worshipfully we welcome God's noblest work, — the strong, honest, fearless, upright man.

26. In Robert Lee was such a hero vouchsafed to us and to mankind, and whether we behold him declining command of the Federal army to fight the battles and share the miseries of his own people; proclaiming on the heights in front of Gettysburg that the fault of the disaster was his own; leading charges in the crisis of combat; walking under the yoke of conquest without a murmur of complaint; or refusing fortunes to come here and train the youth of his country in the path of duty, — he is ever the same meek, grand, self-sacrificing spirit. Here he exhibited qualities not less worthy and heroic than those displayed on the broad and open theater of conflict, when the eyes of nations watched his every action. Here in the calm repose of civil and domestic duties, and in the trying routine of incessant tasks, he lived a life as high as when, day by day, he marshaled and led his thin and wasting lines, and slept by night upon the field that was to be drenched again in blood upon the morrow.

27. Here in these quiet walks, far removed from "war or battle's sound," came into view, as when, the storm o'erpast, the mountain seems a pinnacle of light, the landscape beams with fresher and tenderer beauties, and the purple, golden clouds float above us in the azure depths like the Islands of the Blest, so came into view the towering grandeur, the massive splendor, and the loving-kindness of the character of General Lee, and the very sorrows that overhung his life seemed luminous with celestial hues. Here he revealed in manifold gracious hospitalities, tender charities, and patient, worthy counsels,

how deep and pure and inexhaustible were the fountains of his virtues. And loving hearts delight to recall, as loving lips will ever delight to tell, the thousand little things he did which sent forth lines of light to irradiate the gloom of the conquered land, and to lift up the hopes and cheer the works of the people.

28. Here, indeed, Lee, no longer the leader, became, as it were, the priest of his people, and the young men of Washington College were but a fragment of those who found in his voice and his example the shining signs that never misguided their footsteps.

29. Five years rolled by while here "the self-imposed mission" of Lee was being accomplished, and now, in 1870, he had reached the age of sixty-three. A robust constitution, never abused by injurious habits, would doubtless have prolonged his life beyond the threescore years and ten which the psalmist has ascribed as the allotted term of man; but many causes were sapping and undermining it. The exposures of two wars in which he had participated, and the tremendous strain on nerves and heart and brain which his vast responsibilities and his accumulated trials had entailed, had been silently and gradually doing their work; and now his step had lost something of its elasticity, the shoulders began to stoop as if under a growing burden, and the ruddy glow of health upon his countenance had passed into a feverish flush. Into his ears, and into his heart, had been poured the afflictions of his people, and while composed and self-contained and uncomplaining, who could have looked upon that great face, over whose majestic lineaments there stole the shade of sadness, without perceiving that grief for those he loved was gnawing at the heartstrings? without perceiving in the brilliant eye, which now and then had a far-away, abstracted gaze, that the soul within bore a sorrow "that only Heaven could heal"?

. . . . . .

30. And now he has vanished from us forever. And is this all that is left of him — this handful of dust beneath the

marble stone? No! the ages answer as they rise from the gulfs of Time, where lie the wrecks of kingdoms and estates, holding up in their hands as their only trophies, the names of those who have wrought for man in the love and fear of God, and in love unfearing for their fellow-men. No! the present answers, bending by his tomb. No! the future answers, as the breath of the morning fans its radiant brow, and its soul drinks in sweet inspirations from the lovely life of Lee. No! methinks the very heavens echo, as melt into their depths the words of reverent love that voice the hearts of men to the tingling stars.

31. Come we then to-day in loyal love to sanctify our memories, to purify our hopes, to make strong all good intent by communion with the spirit of him who, being dead, yet speaketh. Come, child, in thy spotless innocence; come, woman, in thy purity; come, youth, in thy prime; come, manhood, in thy strength; come, age, in thy ripe wisdom; come citizen, come soldier, let us strew the roses and lilies of June around his tomb, for he, like them, exhaled in his life Nature's beneficence, and the grave has consecrated that life and given it to us all; let us crown his tomb with the oak, the emblem of his strength, and with the laurel, the emblem of his glory, and let these guns, whose voices he knew of old, awake the echoes of the mountains, that Nature herself may join in his solemn requiem. Come, for here he rests, and

> On this green bank, by this fair stream,
> We set to-day a native stone,
> That memory may his deeds redeem,
> When, like our sires, our sons are gone.

Come, for here the genius of loftiest poesy in the artist's dream and through the sculptor's touch has restored his form and features — a Valentine has lifted the marble veil and disclosed him to us as we would love to look upon him — lying, the flower of knighthood, in "Joyous Gard." His sword beside him is sheathed forever. But honor's seal is on his brow, and

valor's star is on his breast, and the peace that passeth all understanding descends upon him. Here, not in the hour of his grandest triumph of earth, as when, mid the battle roar, shouting battalions followed his trenchant sword, and bleeding veterans forgot their wounds to leap between him and his enemies — but here in victory, supreme over earth itself, and over death, its conqueror, he rests, his warfare done.

32. And as we seem to gaze once more on him we loved and hailed as chief, in his sweet, dreamless sleep, the tranquil face is clothed with heaven's light, and the mute lips seem eloquent with the message that in life he spoke: "*There is a true glory and a true honor; the glory of duty done, the honor of the integrity of principle.*"

EULOGY OF ULYSSES S. GRANT

HORACE PORTER

A SPEECH DELIVERED AT THE BANQUET OF THE ARMY OF THE TENNESSEE, UPON THE OCCASION OF THE INAUGURATION OF THE GRANT EQUESTRIAN STATUE, CHICAGO, OCTOBER 8, 1891.

INTRODUCTION

Horace Porter, soldier, politician, orator, and business man, was born at Huntington, Pennsylvania, April 15, 1837. He entered the Lawrence Scientific School at Harvard, but left there for West Point, where he graduated in 1860, standing third in a class of more than forty. He served in the field throughout the entire period of the Civil War, passing through every commissioned grade up to brigadier general. In the campaign around Chattanooga he met Grant, who recognized his soldierly abilities, and brought him east as an aid-de-camp. Throughout the Wilderness campaign, and until the final scene of the struggle, he was Grant's close personal associate and trusted military aid, and was brevetted six times for "gallant and meritorious conduct in action." In 1867 he was appointed Assistant Secretary of War under General Grant, when the latter was serving for a few months in President Johnson's cabinet. From 1869 to 1877 he was President Grant's private secretary. For twenty years thereafter he devoted himself to a business career, and became president or director of several railway corporations. He has also been prominent as president of the Union League Club, of New York City, and other clubs and patriotic societies. Since 1897 he has been the United States Minister to France.

From the foregoing it is plain that General Porter is eminently an "all-round man." He has entered many fields and has won the highest success in each. As a soldier he attained, as we have seen,

a brilliant military record. As a man of business, he has directed the interests of half a dozen great corporations, and is a prominent officer of New York's most influential mercantile association, — the Chamber of Commerce. He is interested in science, and has a turn for mechanical invention; the "chopping box" used on the elevated railroads of New York is a patented apparatus of his own devising. For public life he has shown an equal aptitude, having served this country with distinction as Minister to France. He is a writer, a scholar, and a linguist withal, familiar with the classics and with several modern languages.

As an orator for special occasions, and especially as an after-dinner speaker, he has been in constant demand, his popularity being rivaled by not more than two or three of his fellow-countrymen. He has appeared as the orator on various notable occasions (mentioned in the notes), and always acquits himself most satisfactorily. His wit is unfailing, his fertility as a *raconteur* apparently exhaustless. Direct and forcible in delivery, his quick turns of thought and striking expressions hold the sustained attention of his hearers.

In pronouncing the following eulogy, General Porter certainly possessed the two elements necessary for any orator for any occasion, — a thorough knowledge of his subject, and sincere and strong convictions and feelings regarding it. From the time that Grant discovered Porter during the war, the two maintained the closest and most affectionate relations toward each other. Further, a feeling of generosity on General Porter's part was added to that of loyalty. If Grant did not make Porter, he aided powerfully in giving the latter an opportunity to make himself. Grant recommended him to his friend, George M. Pullman, president of the Pullman Car Company, and it was with this company that General Porter began a business career whereby he acquired an independent fortune. And reciprocal appreciation was shown by General Porter, not alone during Grant's life, but also since his death. When the project for the Grant Monument, now erected at Riverside Park, New York City, was in danger of abandonment, General Porter stepped to the front and — as in his recent removal to America of the body of Paul Jones — by personal effort rescued it from threatened failure. It was, like the oration that follows, a graceful and fitting tribute to the memory of his old friend and commander.

1. MR. CHAIRMAN: When a man from the armies of the East finds himself in the presence of men of the armies of the West, he feels that he cannot strike their gait. He can only look at them wistfully and say, in the words of Charles II, "I always admired virtue, but I never could imitate it." If I do not in the course of my remarks succeed in seeing each one of you, it will be because the formation of the Army of the Tennessee to-night is like its formation in the field, when it won its matchless victories, the heavy columns in the center.

2. Almost all the conspicuous characters in history have risen to prominence by gradual steps, but Ulysses S. Grant seemed to come before the people with a sudden bound. Almost the first sight they caught of him was in the flashes of his guns, and the blaze of his camp fires, those wintry days and nights in front of Donelson. From that hour until the closing triumph at Appomattox he was the leader whose name was the harbinger of victory. From the final sheath of his sword until the tragedy on Mount McGregor he was the chief citizen of the Republic and the great central figure of the world. The story of his life savors more of romance than reality. It is more like a fabled tale of ancient days than the history of an American citizen of the nineteenth century. As light and shade produce the most attractive effects in a picture, so the singular contrasts, the strange vicissitudes in his marvelous career, surround him with an interest which attaches to few characters in history. His rise from an obscure lieutenancy to the command of the veteran armies of the Republic; his transition from a frontier post of the untrodden West to the executive mansion of the nation; his sitting at one time in his little store in Galena, not even known to the congressman from his own district; at another time striding through the palaces of the Old World, with the descendants of a line of kings rising and standing uncovered in his presence — these are some of the features of his extraordinary career which

appeal to the imagination, excite men's wonder, and fascinate all who read the story of his life.

3. General Grant possessed in a striking degree all the characteristics of the successful soldier. His methods were all stamped with tenacity of purpose, with originality and ingenuity. He depended for his success more upon the powers of invention than of adaptation, and the fact that he has been compared at different times to nearly every great commander in history is perhaps the best proof that he was like none of them. He was possessed of a moral and physical courage which was equal to every emergency in which he was placed; calm amidst excitement, patient under trials, never unduly elated by victory or depressed by defeat. While he possessed a sensitive nature and a singularly tender heart, yet he never allowed his sentiments to interfere with the stern duties of the soldier. He knew better than to attempt to hew rocks with a razor. He realized that paper bullets cannot be fired in warfare. He felt that the hardest blows bring the quickest results; that more men die from disease in sickly camps than from shot and shell in battle.

4. His magnanimity to foes, his generosity to friends, will be talked of as long as manly qualities are honored. You know after Vicksburg had succumbed to him he said in his order: "The garrison will march out to-morrow. Instruct your commands to be quiet and orderly as the prisoners pass by, and make no offensive remarks." After Lee's surrender at Appomattox, when our batteries began to fire triumphal salutes, he at once suppressed them, saying in his order: "The war is over; the rebels are again our countrymen; the best way to celebrate the victory will be to abstain from all demonstrations in the field." After the war General Lee and his officers were indicted in the civil courts of Virginia by direction of a President who was endeavoring to make treason odious and succeeding in making nothing so odious as himself.

General Lee appealed to his old antagonist for protection. He did not appeal to that heart in vain. General Grant at once took up the cudgels in his defense, threatened to resign his office if such officers were indicted while they continued to obey their paroles, and such was the logic of his argument and the force of his character that those indictments were soon after quashed. So that he penned no idle platitude, he fashioned no stilted epigram, he spoke the earnest convictions of an honest heart when he said, "Let us have peace." He never tired of giving unstinted praise to worthy subordinates for the work they did. Like the chief artists who weave the Gobelin tapestries, he was content to stand behind the cloth and let those in front appear to be the chief contributors to the beauty of the fabric.

5. If there be one single word in all the wealth of the English language which best describes the predominating trait of General Grant's character, that word is "loyalty." Loyal to every great cause and work he was engaged in; loyal to his friends, loyal to his family, loyal to his country, loyal to his God. This produced a reciprocal effect in all who came in contact with him. It was one of the chief reasons why men became so loyally attached to him. It is true that this trait so dominated his whole character that it led him to make mistakes, it induced him to continue to stand by men who were no longer worthy of his confidence; but after all, it was a trait so grand, so noble, we do not stop to count the errors which resulted. It showed him to be a man who had the courage to be just, to stand between worthy men and their unworthy slanderers, and to let kindly sentiments have a voice in an age in which the heart played so small a part in public life. Many a public man has had hosts of followers because they fattened on the patronage dispensed at his hands; many a one has had troops of adherents because they were blind zealots in a cause he represented; but perhaps no man but

General Grant had so many friends who loved him for his own sake, whose attachment strengthened only with time, whose affection knew neither variableness nor shadow of turning, who stuck to him as closely as the toga of Nessus, whether he was captain, general, President, or simply private citizen.

6. General Grant was essentially created for great emergencies; it was the very magnitude of the task which called forth the powers which mastered it. In ordinary matters he was an ordinary man. In momentous affairs he towered as a giant. When he served in a company there was nothing in his acts to distinguish him from the fellow-officers; but when he wielded corps and armies the great qualities of the commander flashed forth and his master strokes of genius placed him at once in the front rank of the world's great captains. When he hauled wood from his little farm and sold it in the streets of St. Louis there was nothing in his business or financial capacity different from that of the small farmers about him; but when, as President of the Republic, he found it his duty to puncture the fallacy of the inflationists, to throttle by a veto the attempt of unwise legislators to tamper with the American credit, he penned a State paper so logical, so masterly, that it has ever since been the pride, wonder, and admiration of every lover of an honest currency. He was made for great things, not for little. He could collect for the nation $15,000,000 from Great Britain in settlement of the *Alabama* claims; he could not protect his own personal savings from the miscreants who robbed him in Wall Street.

7. But General Grant needs no eulogist. His name is indelibly engraved upon the hearts of his countrymen. His services attest his greatness. He did his duty and trusted to history for his meed of praise. The more history discusses him, the more brilliant becomes the luster of his deeds. His record is like a torch, — the more it is shaken, the brighter it

burns. His name will stand imperishable when epitaphs have vanished utterly, and monuments and statues have crumbled into dust; but the people of this great city, everywhere renowned for their deeds of generosity, have covered it anew with glory in fashioning in enduring bronze, in rearing in monumental rock that magnificent tribute to his worth which was to-day unveiled in the presence of countless thousands. As I gazed upon its graceful lines and colossal proportions I was reminded of that childlike simplicity which was mingled with the majestic grandeur of his nature. The memories clustering about it will recall the heroic age of the Republic; it will point the path of loyalty to children yet unborn; its mute eloquence will plead for equal sacrifice, should war ever again threaten the nation's life; generations yet to come will pause to read the inscription which it bears, and the voices of a grateful people will ascend from the consecrated spot on which it stands, as incense rises from holy places, invoking blessings upon the memory of him who had filled to the very full the largest measure of human greatness and covered the earth with his renown.

8. During his last illness an indescribably touching incident happened which will ever be memorable and which never can be effaced from the memory of those who witnessed it. Even at this late date I can scarcely trust my own feelings to recall it. It was on Decoration Day in the city of New York, the last one he ever saw on earth. That morning the members of the Grand Army of the Republic, the veterans in that vicinity, arose earlier than was their wont. They seemed to spend more time that morning in unfurling the old battle flags, in burnishing the medals of honor which decorated their breasts, for on that day they had determined to march by the house of their dying commander to give him a last marching salute. In the streets the columns were forming; inside the house, on that bed from which he was never to rise again, lay the stricken

chief. The hand which had seized the surrendered swords of countless thousands could scarcely return the pressure of the friendly grasp. The voice which had cheered on to triumphant victory the legions of America's manhood could no longer call for the cooling draught which slaked the thirst of a fevered tongue; and prostrate on that bed of anguish lay the form which in the New World had ridden at the head of conquering columns, which in the Old World had been deemed worthy to stand with head covered and feet sandaled in the presence of princes, kings, and emperors. Now his ear caught the sound of martial music. Bands were playing the same strains which had mingled with the echoes of his guns at Vicksburg, the same quicksteps to which his men had sped in hot haste in pursuit of Lee through Virginia. And then came the heavy, measured steps of moving columns, a step which can be acquired only by years of service in the field. He recognized it all now. It was the tread of his old veterans. With his little remaining strength he arose and dragged himself to the window. As he gazed upon those battle flags dipping to him in salute, those precious standards bullet-riddled, battle-stained, but remnants of their former selves, with scarcely enough left of them on which to print the names of the battles they had seen, his eyes once more kindled with the flames which had lighted them at Shiloh, on the heights of Chattanooga, amid the glories of Appomattox, and as those war-scarred veterans looked with uncovered heads and upturned faces for the last time upon the pallid features of their old chief, cheeks which had been bronzed by Southern suns and begrimed with powder were bathed in tears of manly grief. Soon they saw rising the hand which had so often pointed out to them the path of victory. He raised it slowly and painfully to his head in recognition of their salutations. The last of the columns had passed, the hand fell heavily by his side. It was his last military salute.

THE IMMORTALITY OF GOOD DEEDS

THOMAS BRACKETT REED

AN ADDRESS DELIVERED AT THE SEMICENTENNIAL OF GIRARD COLLEGE, JANUARY 3, 1898.

INTRODUCTION

Thomas Brackett Reed, lawyer and statesman, "Czar" of the House of Representatives from 1889 to 1899, was born in Portland, Maine, October 18, 1839. He worked his way through college, graduating from Bowdoin in 1860 with high honors both for scholarship and literary talent. He taught school, acted as paymaster in the navy for a year during the Civil War, studied law, began practice at Portland, but soon entered politics, and after holding several State offices was elected to Congress in 1876 on the Republican ticket. His subsequent career is chiefly remembered for the part he played as member, and particularly as Speaker, of the House of Representatives. Here he at once became a power because of his readiness in debate, his easy mastery of important political issues, and his remarkable executive ability in managing and controlling men and factions. Elected Speaker of the House in the Fifty-first Congress, the vigor of his administration at once attracted widespread attention. His rulings became widely famous. One of his methods was to complete a quorum by ordering recorded as present on the roll call the names of Democrats present who did not answer to the roll call, thereby reversing the practice of the House. The resulting assaults upon him as "Czar," which were essentially just, did not in the slightest degree disturb his equanimity, and he lived to see his rulings justified in popular approval, since they stopped the dangerous blocking

of the public work. On April 20, 1899, Mr. Reed announced his retirement from political life, ending his speakership with the close of the Fifty-fifth Congress. After a brief period of renewed law practice in New York City he died, December 7, 1902.

With the allaying of the party strife engendered during his political career, Mr. Reed has come to be generally regarded as one of the nation's strong men. Strength, intellectual and moral, was his most pronounced characteristic. For twenty-two years consecutively he was leader of his party in Congress, either on the floor of the House or in the Speaker's chair. This long lease of power was rendered possible not alone because of superior intellectual qualities for leadership, but also because of strong moral qualities. It was Mr. Reed's moral force which enabled him to eventually maintain his revolutionary rulings, for his integrity and sense of honor were beyond the question of his political adversaries, even when their animosities were most bitter and passionate. Honorable Joseph G. Cannon says of him, "Thomas B. Reed was the strongest intellectual force, crossed on the best courage, among all men in public life whom I have known."

For the most part Mr. Reed's public speaking was of course in the field of political oratory. Herein he stood preëminent. His epigrams were frequently used with more effect by campaign managers than other men's whole speeches. Mr. Reed had at least a theoretical dislike for mere oratory. He is reported to have thanked Heaven that the House of Representatives was not a deliberative body. He also disliked long speeches. He thought that a man ought to be able to say all that was worth saying in a short speech. This predilection for brevity, the lawyer's instinct for seizing upon the strong points of a case, and also skill in oratory proper — elevation of sentiment and adequacy of expression — are well illustrated in the following oration.

1. Six hundred and fifty or seventy years ago, England, which, during the following period of nearly seven centuries, has been the richest nation on the face of the globe, began to establish the two great universities which, from the banks of the Cam and the Isis, have sent forth great scholars and priests and statesmen whose fame is the history of their own

country, and whose deeds have been part of the history of every land and sea. During all that long period, reaching back two hundred and fifty years before it was ever dreamed that this great hemisphere existed, before the world knew that it was swinging in the air and rolling about the sun, kings and cardinals, nobles and great churchmen, the learned and the pious, began bestowing upon those abodes of scholars their gifts of land and money, and they have continued their benefactions down to our time. What those universities, with all their colleges and halls teeming with scholars for six hundred years, have done for the progress of civilization and the good of man, this whole evening could not begin to tell. Even your imaginations cannot, at this moment, create the surprising picture. Nevertheless, the institution at which most of you are, or have been, pupils is at the beginning of a career with which those great universities and their great history may struggle in vain for the palm of the greatest usefulness to the race of man. One single fact will make it evident that this possibility is not the creation of imagination or the product of that boastfulness which America will some day feel herself too great to cherish, but a simple and plain possibility which has the sanction of mathematics as well as hope.

2. Although more than six centuries of regal, princely, and pious donations have been poured into the purses of these venerable aids to learning, the munificence of one American citizen to-day affords an endowment income equal to that of each university, and when the full century has completed his work, will afford an income superior to the income of both. When Time has done his perfect work, Stephen Girard, mariner and merchant, may be found to have come nearer immortality than the long procession of kings and cardinals, nobles and statesmen, whose power was mighty in their own days, but who are only on their way to oblivion. I am well aware that this college of orphans, wherein the wisdom of the founder

requires facts and things to be taught rather than words and signs, can as yet make no claim to that higher learning so essential to the ultimate progress of the world; but it has its own mission as great and as high, and one which connects itself more nearly with the practical elevation of mankind.

3. Whether the overruling Providence, of which we talk so much and know so little, has each of us in His kindly care and keeping, we shall better know when our minds have the broader scope which immortality will make possible. But, however men may dispute over individual care, His care over the race as a whole fills all the pages of human history. Unity and progress are the watchwords of the Divine guidance, and no matter how harsh has been the treatment by one man of thousands of men, every great event, or series of events, has been for the good of the race. Were this the proper time, I could show that wars — and wars ought to be banished forever from the face of the earth; that pestilences — and the time is coming when they will be no more; that persecutions and inquisitions — and liberty of thought is the richest pearl of life, — that all these things, wars, pestilences, and persecutions, were but helps to the unity of mankind. All things, including our own natures, bind us together for deep and unrelenting purpose.

4. Think what we should be, who are unlearned and brutish, if the wise, the learned, and the good could separate themselves from us; were free from our superstitions and vague and foolish fears, and stood loftily by themselves, wrapped in their own superior wisdom. Therefore hath it been wisely ordained that no set of creatures of our race shall be beyond the reach of their helping hand; so lofty that they will not fear our reproaches, or so mighty as to be beyond our reach. If the lofty and the learned do not lift us up, we drag them down. But unity is not the only watchword; there must be progress also. Since, by a law we cannot evade, we are to

keep together, and since we are to progress, we must do it together, and nobody must be left behind. This is not a matter of philosophy; it is a matter of fact. No progress which did not lift all, ever lifted any. If we let the poison of filth diseases percolate through the hovels of the poor, death knocks at the palace gates. If we leave to the greater horror of ignorance any portion of our race, the consequences of ignorance strike us all, and there is no escape. We must all move, but we must all keep together. It is only when the rear guard comes up that the vanguard can go on.

5. Stephen Girard must have understood this. He took under his charge the progress of those who needed his aid, knowing that if they were added to the list of good citizens, to the catalogue of moral, enterprising, and useful men, there was so much added, not to their happiness only, but to the welfare of the race to which he belonged. For his orphans the vanguard need not wait. Your founder also understood what education was. Most men brought up as he was on shipboard and on shore, with few books and fewer studies, if they cared for learning at all, would have had for learning an uncouth reverence, such as the savage has for his idol, a reverence for the fancied magnificence of the unknown. This would have led him to establish a university devoted to out-of-the-way learning beyond his ken, or to link his name to glories to which he could not aspire. But the man who named his vessels after the great French authors of his age, and who read their works himself, knew from them and from his own laborious and successful life that learning was not all of education, and so gave his orphans an entrance into a practical world with such learning as left the whole field of learning before them, if they wanted it, with power to make fortunes besides.

6. It is strange to watch the growth into fame and respect and reverence of Stephen Girard, as his plan of conferring a

benefaction upon the city and the people whom he loved has slowly unfolded itself before their gaze. The generation in which he lives can seldom understand the really great man. We live for to-day, and he lives for a day after to-day. He takes on the century in which he lives and a hundred years after he has passed away. The man of mediocrity must make his hay under the shine of the present sun, and so must clasp every hand he can touch and make us think he loves us all. But the greatest merchant of his time, with the noblest ambition of them all, was so resolute in his pursuit of wealth and so coldly determined in all his endeavors that he seems to have uncovered to few or to none the generous purpose of his heart. What he said to the man who was so unworthy to write his first biography, but who was forced to bless when he had gone forth to curse, is the secret of his career. "My actions must make my life," he said, and of his life not one moment was wasted. "Facts and things rather than words and signs" were the warp and woof of his existence. No wonder he left the injunction that this should be the teaching of those objects of his bounty into whose faces he was never to look.

7. The vast wealth which Mr. Girard had was of itself alone evidence of greatness. I have not forgotten the epitaph on Colonel Charters, who died rich and infamous, that you could see what God thought of riches by the people He gave them to. Fortunes may be made and lost. Fortunes may be inherited. These things mean nothing. But the fortune which has given us all our surroundings to-night was made and firmly held in a hand of eighty years. That meant greatness. But when the dead hand opens and pours the rich bloom of a preparation for life over six thousand boys in the half-century which has gone and thousands in the centuries to come, that means more than greatness. Mr. Girard gave more than his money. He put into his enterprise his own powerful brain, and, like the

ships he sent to sea, long after his death the adventure came home laden, not with the results of his capital alone, but of his forethought and his genius. He builded for so many years that the stars will be cold before his work is finished. We envious people, who cannot be wealthy any more than we can add a cubit to our stature, avenge ourselves by thinking and proclaiming that pursuit of wealth is sordid and stifles the nobler sentiments of the soul. Whether this be so or not, if whoever makes to grow two blades of grass where but one grew before is a benefactor of his race, he also is a benefactor who makes two ships sail the sea where but one encountered its storms before. However sordid the owner may be, this is a benefit of which he cannot deprive the world.

8. That men who have achieved great riches are not always shut out by their riches from the nobler emotions, Stephen Girard was himself a most illustrious example. A hundred years ago this city was under the black horror of a plague. So terrible was the fear that fell upon the city, that the tenderest of domestic ties — the love of husband and wife and of parents for children — seemed obliterated. Even gold lost its power in the multitudinous presence of impending death. There was no refuge even in the hospital, which, reeking with disease, was a hell out of which there was no redemption. Neither money nor affection could buy service. "Fear was on every soul."

9. Mr. Girard was then in the prime of life, forty-two years old, in health and strength, already rich, and with a future as secure as ever falls to human lot. Of his own accord, as a volunteer, he took charge of the interior of the deadly hospital, and for two long and weary months stood face to face with death.

10. A poet himself has sung in vain of what makes the little songs linger in our hearts for ages, while epics perish and tragedies pass out of sight. Why this is so we shall never know

by reason alone. Way down in the human heart there is a tenderness for self-sacrifice which makes it seem loftier than the love of glory, and reveals the possibility of the eternal soul. Wars and sieges pass away and great intellectual efforts cease to stir our hearts, but the man who sacrifices himself for his fellow lives forever. We forget the war in which was the siege of Zutphen, and almost the city itself, but we shall never forget the death of Sir Philip Sidney. Scholars alone read the work of his life, but all mankind honors him in the story of his death. The great war of the Crimea, in our own day, with its generals and marshals, and its bands of storming soldiery, has almost passed from our memories, but the time will never come when the charge of Balaklava will cease to stir the heart or pass from story or from song. It happened to Stephen Girard, mariner and merchant, seeking wealth and finding it, whose ships covered every sea, whose intellect penetrated, as your treasurer's books will show, a hundred years into the future, to light up his life by a deed more noble than the dying courtesy of Sidney and braver than the charge of the six hundred, for he walked under his own orders day by day and week by week, shoulder to shoulder with death, and was not afraid. How fit, indeed, it is that amidst these temples which are the tribute to his intellect should stand the tablet which is the tribute to his heart!

11. Surely, if the immortal dead, serene with the wisdom of eternity, are not above all joy and pride, he must feel a thrill to know that no mariner or merchant ever sent forth a venture upon unknown seas which came back with richer cargoes or in statelier ships.

TRIBUTE TO MARCUS A. HANNA

ALBERT JEREMIAH BEVERIDGE

A EULOGY AT THE HANNA MEMORIAL IN THE UNITED STATES SENATE, APRIL 7, 1904.

INTRODUCTION

Albert J. Beveridge, lawyer, statesman, and orator, was born on the border of Adam and Highland counties, Ohio, October 6, 1862. After the Civil War his family removed to Illinois. He received a common and high school education, worked his way through college, and was graduated from DePauw University in 1885. Soon thereafter he was admitted to the bar, and began the practice of law at Indianapolis, Indiana. In 1899 he was elected United States Senator from Indiana, being at that time the youngest member of the Senate. He soon became widely known through his public speeches, both in the Senate and on the hustings. He fervidly supported the administration's Philippine policy, and has become recognized as the leading sponsor for that policy in Congress. As a result of a trip to the Orient, he is the author of a book on the Eastern question, *The Russian Advance* (1903).

Endowed with native ability, Mr. Beveridge has won his spurs by aiming high and working hard. He is generally admired as a fine type of the young American in public life. Says Mr. Albert Shaw, in the *Review of Reviews* for January, 1905:

"Senator Beveridge brings a clear head and a firm will into the United States Senate. . . . He is very much more than a good orator, a good lawyer, a good legislator, and a good politician. He is a man of good conscience, of fidelity, of courage, and of patriotism. Whatever faults he may possess,— and doubtless he has some, — he has the virtues and the essential qualities of a statesman."

Mr. Beveridge is considered one of the best speakers in Congress, and he enjoys a national reputation as a campaign orator. While pursuing his college course he gave particular attention to the theory and practice of oratory. He took a leading place in the college literary society, and there won immediate success as an orator, debater, and organizer. In 1899–1900 he wrote a series of articles for the *Saturday Evening Post*, which furnish a good exposition of his ideas regarding oratory, both as to manner and matter. He stresses the need of directness and earnestness in delivery, and the avoidance of tricks and artificialities. "As to matter and style," he says, "aim only to be clear. Nothing else is essential."

While Congressional oratory is not highly rated, as a rule, still on those occasions set apart for commemorating deceased members, when the speakers take time for preparation in advance, eulogies of a high order of merit are delivered. In thought and expression, the following tribute will bear careful study as an example of the briefer form of eulogy.

1. MR. PRESIDENT: Since to all earthly work an end must come, our words of farewell to a fellow-workman should not alone be those of grief that man's common lot has come to him, but also of pride and joy that his task has been done worthily. Powerful men so weave themselves into their hour that, for the moment, it all but seems the world will stop when they depart. Yet it does not stop or even pause. Undisturbed Time still wings his endless and unwearied flight; and the progress of the race goes on and up toward the light, realizing at every step more and more of the true, the beautiful, and the good.

2. So it is not important that any of us should long remain; the Master Builder lacks not craftsmen to take our place. But it is important to the uttermost that while we are here we should do our duty to the full perfection of our powers, fearlessly and faithfully, with clean hands, and hearts ever full of kindness, forbearance, charity.

3. These are the outline thoughts that the absence of our friend compels. With his whole strength he did his work from

boyhood to the place of rest. He was no miser of his life — he poured it into discharge of duty, keeping with nature no account of heart beats.

4. The things he did were real things. He was the very spirit of the practical. Yet the practical did not kill or even impair the human in him. He never lost the gift of lovableness. His sense of human touch and fellowship was not dulled, but made more delicate by time and the world. The years made him wiser, but they made him mellower, too.

5. And so he won the people's affection as well as their applause. And affection is worth more than applause. There is no greater glory than this — to make a nation your friend. Senator Hanna did that. For when the angel of peace, which men call Death, took our brother to his well-earned rest, the people knew that a friend had left them. And the people were sad that he had gone away.

6. This human quality in him made all he did a living thing, all he said a living word. He was the man of affairs in statesmanship; yet his personality gave to propositions of mere national business something of the warmth and vitality of principles. He was the personification of our commercial age, — the age of building, planting, reaping; of ships on ocean, and on land steel highways and the rolling wheels of trade; of that movement of the times which knits together with something more than verbal ties all the children of men, weaves tangible civilization around the globe, and will, in time, make of all peoples neighbors, brothers, friends.

7. Thus he was, unwittingly no doubt, one of the agents of God's great purpose of the unification of the race. We are all such agents, small or great. If this is not so — if we are not, ignorantly perhaps and blindly, but still surely, spinning our lives into the Master's design, whose pattern He alone can comprehend; if we and all things are not working together for good; if life is but a breath exhaled and then forever

lost — our work means less and is worth less than that of coral insects, which, from the depths, build ever toward the light until islands stand above the waves, permanent monuments of an intelligent architecture.

8. Work with real things — real earth, real ocean, real mountains, real men — made him conservative. And his conservatism was real. Much that is accepted as conservatism is spurious, mere make-believe. Conservatism does not mean doubt or indecision. It does not mean wise looks, masking vacuity, nor pompous phrase, as meaningless as it is solemn. Conservatism means clear common sense, which equally rejects the fanaticism of precedent and the fanaticism of change. It would not have midnight last just because it exists; and yet it knows that dawn comes not in a flash, but gradually — comes with a grand and beautiful moderation. So the conservative is the real statesman. He brings things to pass in a way that lasts and does good. Senator Hanna was a conservative.

9. Working with real things among real men also kept fresh his faith and hope. No sailor of the seas, no delver in the earth, no builder of rooftrees can be a pessimist. He who plants doubts not our common mother's generosity, or fails to see in the brown furrow the certainty of coming harvests. He who sinks a well and witnesses the waters rise understands that the eternal fountains will never cease to flow. Only the man whose hands never touch the realities of life despairs of human progress or doubts the providence of God. The fable of Antæus is literal truth for body, mind, and soul. And so Senator Hanna, dealing with living men and the actualities of existence, had all the virile hope of youth, all the unquestioning faith of prophecy. These are the qualities of the effective leadership of men.

10. He is gone from us — gone before us. Strength and frailty, kindness and wrath, wisdom and folly, laughter and frown, all the elements of life and his living of it have ceased

their visible play and action. "Where," said despairing Villon, "where are the snows of yesteryear?" Vanished, he would have us believe. Yes, but vanished only in form. "The snows of yesteryear" are in the stream, in cloud and rain, in sap of tree and bloom of flower, in heart and brain of talent and of beauty. Nothing is lost even here on our ancient and kindly earth. So the energies of our friend, and those of all men, have touched into activity forces that, influencing still others, will move on forever.

11. As to the other life, we know not fully what it is; but that it is, we know. Knowing this, we who are left behind go on about our daily tasks, assured that in another and truer existence our friend is now established, weakness cast aside as a cloak when winter has passed, vision clear as when at dawn we wake from dreams, heart happy as when, the victory won, we cease from effort and from care. For him the night is done, and it is written that "joy cometh in the morning."

MARSHALL AND THE CONSTITUTION

WILLIAM BOURKE COCKRAN

AN ADDRESS DELIVERED BEFORE THE ERIE COUNTY BAR ASSOCIATION, BUFFALO, NEW YORK, FEBRUARY 14, 1901, UPON THE OCCASION OF THE CENTENNIAL ANNIVERSARY OF MARSHALL'S APPOINTMENT AS CHIEF JUSTICE OF THE UNITED STATES SUPREME COURT.

INTRODUCTION

William Bourke Cockran, lawyer, politician, and orator, is one of the many men of Irish birth who have become noted as American orators. He was born in Ireland, February 28, 1854. He was educated in that country and in France, migrating to the United States in 1871. For five years he taught school in New York, studying law at the same time. In 1876 he was admitted to the New York State bar, and soon took a prominent part in state politics. His ability as a lawyer gained for him a place on the New York commission for revising the judiciary clause of the State Constitution. In 1882 he became counsel to the sheriff of New York City, and was reappointed in 1885. In politics Mr. Cockran is a "gold" Democrat. He supported McKinley for the presidency in 1896, but advocated the election of Bryan in 1900 on account of the "imperialism" issue. With some intermissions, he has represented New York in Congress since 1886.

Mr. Cockran is a ready, polished, and eloquent speaker. As a campaign orator he has been a tower of strength to whatever side he espoused, and he is also a favorite as an orator for special occasions. He is a man with a strong personal magnetism, his speeches losing not a little in the reading. He himself says in a

letter to the editor: "Nearly all my speeches have been extemporaneous. . . . It is hard for me to say which I consider the best, or indeed, that I think any of them meritorious. As I read them now my principal feeling is one of surprise at the measure of success which they achieved when delivered."

1. If there be any one capable of disputing that, aside from the establishment of Christianity, the foundation of this Republic was the most memorable event in the history of man, we would not be apt to seek him at this board or to find him in this country. And if the foundation of this government be the most momentous human achievement of all the centuries, then clearly the appointment of John Marshall to the Chief Justiceship of the United States was the first event of the last century no less in the magnitude of its importance than in the order of its occurrence.

2. To the judicial career whose initial stage we celebrate this country mainly owes its independent Judiciary, — the unique feature of our political system, the distinctive contribution of American democracy to the civilization of the world, the vital principle of constitutional freedom, — on which depend the strength which this government possesses, the fruit which it has borne, the cloudless prospect which it enjoys.

3. It is certainly beyond dispute that this government, which is the freest, is also the most stable in the world. During the period of its existence what changes have swept over the earth; what upheavals have convulsed society; what dynasties have been established and overthrown; what empires have risen and fallen; what political enterprises have been undertaken and abandoned; what constitutions framed in high hopes have perished in disappointment and confusion! It has seen the Whig oligarchy, which ruled England for a century and a half, give place to a republic preserving the outward form of monarchy only to veil the democratic character of its

evolution. It has seen the king who aided these colonies to achieve their liberty immolated on the scaffold in the name of liberty, and France, after staggering through anarchy to military despotism, sink back into monarchy; and after again overturning thrones and stumbling once more into imperialism, while groping towards republicanism, engage in a third attempt to establish some form of constitutional freedom.

4. It has seen Prussia rise from the ashes of defeat and humiliation, and after humbling the pride of the Hapsburgs assume the military primacy of Europe when her king, raised to imperial dignity on the bucklers of his triumphant soldiery, proclaimed a new empire of Germany in the conquered halls of Louis the Magnificent. It has seen the Republic of Venice perish in its age and decay; the German principalities disappear from the banks of the Rhine; the ancient city of Leo and of Gregory become the capital of a new kingdom, and Spain begin to recover in the cultivation of her own lands the prosperity which she sacrificed in attempts to conquer other lands. It has seen the veil of darkness and ignorance rent in the East. As I speak, it sees the forces of Western civilization standing in the battered gateways of Far Cathay. And through all these changes, convulsions, revolutions, this Republic stands to-day, as it went into operation one hundred and twelve years ago, unchanged in any of its essential features, except that its foundations have sunk deeper in the affections of the people whose security it has maintained, whose prosperity it has promoted, whose conditions it has blessed.

5. To what must we attribute this stability which has maintained our government unmoved and apparently immovable on solid foundations amid the upheavals which have engulfed ancient systems? It is not explained by the lofty purpose which animated its founders, because other governments conceived in equally high aspirations have perished at the first attempt to put them in practical operation. It is not because

it rests on a written constitution, for the pathway of man is strewn with the wrecks of constitutional experiments. It is not because our Constitution declares certain elementary rights of man to be inviolable. Its provisions in this respect were modeled on existing institutions. Their very language was not original. In terms as well as in substance they were borrowed from other charters of liberty. The French Constitution of 1793 and the Declaration of the Rights of Man, which was made a part of it, contained even more elaborate provisions for the safety of the individual. But while the French Constitution was munificent in its promises of privileges to the citizen, the means which it adopted to secure them were inadequate and indeed puerile. You remember how that remarkable document sought to enforce its provisions by directing the Constitution to be "written upon tablets and placed in the midst of the legislative body and in public places," that in the language of the Declaration "the people may always have before its eyes the fundamental pillars of its liberty and strength, and the authorities the standard of their duties, and the legislator the object of his problem." The Constitution was placed "under the guarantee of all the virtues," and the Declaration concluded by solemnly enacting that "resistance to oppression is the inference from the other rights of man. It is oppression of the whole society if but one of its members be oppressed. When government violates the rights of the people, insurrection of the people and of every single part of it is the most sacred of its rights and the highest of its duties."

6. The framers of that Constitution made the fatal mistake of assuming that to declare certain privileges the right of the citizen was equivalent to placing them in his possession. In practical operation, however, it was soon found that the sacred right of insurrection was too unwieldy a weapon to be wielded by a single arm. "All the virtues" proved but indifferent

guardians for a constitution assailed by all the passions. A mob thirsting for the blood of a victim did not pause to read the measure of his rights on tablets, however legibly inscribed or conspicuously posted. The legislator menaced by an infuriated populace did not hesitate to seek his own security in the sacrifice of the lives of thousands without regard to "the object of his problem." The Constitution written with so much care, acclaimed with so much enthusiasm, adopted with so much hope, was suspended even before it went into operation. And when on the trial of Danton a decree was passed authorizing juries to declare themselves satisfied of the guilt of persons accused, at any stage of the proceedings against them, the last barrier for the protection of the citizen was swept away. Frenzied patriots and plotting demagogues combined to produce a wild reign of terror — a saturnalia of assassination. Violence became synonymous with patriotism; to be accused was to be condemned; to refuse participation in murder was to become its victim; the guillotine became the altar of popular sovereignty, exacting human sacrifices in ghastly abundance. The blood of the best and of the worst; of the most patriotic and of the most disaffected; of the philanthropic dreamer and of the brutal cut-throat; of both sexes, of every age, and of all conditions, drenched the soil of France — not as the stern ransom of liberty, but as a mad libation to anarchy and riot. The Constitution founded to protect the rights of man perished miserably after violating all of them, and republican institutions became discredited throughout Europe for a century.

7. The distinction between our Republic and all others — which has made it a bulwark of liberty and order, while they have generally become engines of oppression and sources of confusion — is not in the varied extent of privileges promised by them, but in the different means which they provide for their enforcement. Our Constitution was not committed to

the "care of all the virtues," but to the courage, wisdom, and patriotism of an independent judiciary. The whole security of our political system rests primarily on Article III of the Constitution, which provides that the judicial power of the United States shall be vested in one Supreme Court and in such inferior courts as Congress may from time to time ordain and establish; and that the judicial power shall extend to all cases in law and equity arising under the Constitution and laws of the United States and treaties made under their authority; to controversies between two or more states, between a state and citizens of another state, and between citizens of different states. This is the corner stone of our political structure, but not the force which secures this government firmly on its foundations. The experience of France, and indeed of this country, shows that constitutional provisions of themselves are but mere admonitions, always disregarded in practice unless adequate instrumentalities are provided to enforce them. The actual character of a constitutional government depends less on the words of its constitution than on the interpretation which they receive. It was not the Constitution as drawn up by its framers, but the Constitution as interpreted by its judges, which the greatest Englishman of modern times described as the most perfect work ever struck off at a given time by the mind of man. Marshall found a plan, he placed it in effective operation; he found certain declarations in favor of individual safety, he made them the panoply of individual rights; he found a written Constitution, he made it a constitutional government.

8. In fixing the credit due to Marshall's judicial career it is not necessary to belittle the wisdom and foresight of the men who wrote the Constitution. No structure can be stronger than its foundation. John Marshall could never have raised the Supreme Court from the weakness in which he found it to the power and majesty in which he left it, if the Constitution had

not afforded him an adequate field for the fullest exercise of his constructive genius.

9. It would be superfluous, in this presence, to discuss or even to mention the long series of decisions through which he made the promises of freedom embraced in the Constitution actual possessions of the American people. It is enough to say that during his judicial service of thirty-four years, in deciding many controversies arising in every part of the Union, he succeeded in establishing four great principles which underlie our whole constitutional system and which constitute its main support: first, the supremacy of the national government over the states and all their inhabitants; second, the supremacy of the Constitution over every department of government; third, the absolute freedom of trade and intercourse between all the states; fourth, the inviolability of private contracts.

10. It is true that these principles are now regarded as axioms of civilized society too obvious to be questioned in a nation capable of constitutional government, but the universal respect in which they are held is entirely due to the courage, resolution, and ability with which Marshall asserted and maintained them. If no attempt to violate them had ever been made by the states or by Congress, no occasion would have arisen for the decisions which vindicate them so clearly that no respectable authority can now be found to challenge them. It is true, as the distinguished chairman of this banquet says, that the supremacy of the Constitution over Congress and the Executive was asserted by Judge Paterson in a charge to a jury delivered long before Marshall assumed the ermine. It is equally true that at a still earlier period — in 1788 — Alexander Hamilton devoted a number of the *Federalist* — I think it was the seventy-eighth — to proving that it was the right and duty of the Judiciary to set aside a law which contravened the Constitution. Indeed, I believe the principle had been asserted in some of the colonies before the Revolution. But, Mr. Chairman, there is nothing

new under the sun. Marshall did not discover or establish any new principle of liberty, nor did this Constitution embrace one, but Marshall did devise an effective plan for making declarations of ancient principles practical features of civil government. Man can no more invent a new principle than he can invent a new force. The limit of human ingenuity is exhausted when new devices are found for utilizing forces which are eternal. The force which moves the steam engine existed since the beginning of the world, but it never was available for the use of man till Watt devised an effective machine. Liberty was always an aspiration to cherish, but never till Marshall made this Constitution effective did liberty become a possession to enjoy.

11. Marshall brought to the interpretation of the Constitution the love of a patriot, the wisdom of a statesman, and the ardor of a partisan. He had followed the debates of its framers in Philadelphia; he had successfully urged its adoption in the Virginia Convention against the eloquence and overshadowing authority of Patrick Henry. Every peril which it escaped in the progress of its evolution, every criticism of its provisions, every apprehension expressed of its operations, were signal lights warning him of dangers which threatened it and suggesting possibilities of further development which in after years he improved to the utmost.

12. In the very general disposition to treat the Constitution as a mere treaty between independent sovereignties, which might be disregarded at pleasure by any of them, he discerned a danger against which he warned his countrymen from the judgment seat almost as soon as he ascended it. From 1804, in the case of the United States against Fisher, to the last day of his service, he never missed an opportunity to assert the supremacy of the federal government on all matters committed to it by the Constitution as the vital principle of our national existence, nor to show by irresistible logic that to question its sovereignty was to plot its destruction. This was the

doctrine on which patriots always supported the Union — for which Webster contended in the Senate, for which armies battled during four long years, and which was finally affirmed on the battlefield when the sword of the Confederacy was surrendered to the triumphant forces of the Republic.

13. In the opposition expressed in the Philadelphia Convention to establishing United States courts of inferior jurisdiction and in the suggestion that the enforcement of the federal Constitution and laws should be confided to the state courts, he detected a disposition to emasculate the federal Judiciary by making it a body without limbs, and when occasion arose in 1809 he issued that *mandamus* to Judge Peters which made the subordinate courts of the United States the vigorous and effective hands of the Constitution — enforcing its provisions in every locality, bringing the federal law to the doorway of the citizen, maintaining the supremacy of the United States in every square foot of their territory — without interfering with the power of the state to deal with matters concerning itself and its own citizens, except to administer its justice according to its own laws when they were invoked by a stranger against a resident. And when in the subsequent case of Hunter's Lessee he established the right of the Supreme Court to review any proceedings of a state tribunal which involved a question arising under the laws or Constitution of the United States, he converted the state courts from possible obstacles to federal authority into additional agencies for the enforcement of federal laws.

14. In the proposal so strongly urged in the Philadelphia Convention to empower the judges of the Supreme Court to advise the legislative and the executive departments in the discharge of their functions he detected an apprehension that under a republican form of government parliamentary bodies and executive officers might be carried to excesses by violent gusts of popular opinion, and in the case of Marbury against Madison he quieted that distrust forever by assuming for the Judiciary

the right and the duty to enforce the Constitution against any attempt to invade it by any other department, or by all the other departments of government combined, on the complaint of any citizen whose rights might be imperiled by the encroachment.

15. Freedom of trade between the states was secured when in Gibbons against Ogden the jurisdiction of the federal government was established over the navigable waters of the United States, whether inland rivers or harbors of the sea, and when in the subsequent case of Brown against the State of Maryland — which might be called the original "original package case"— it was held that the state had no power to impose any tax or duty by way of license or other pretext upon the products of other states seeking access to its markets. To these and the subsequent decisions constituting the body of law governing interstate commerce we are indebted for the profound peace which reigns between the states; for if one state had been allowed to impose discriminations in matters of trade or communication against the citizens of another, each imposition would have been followed by reprisals leading in turn to fresh retaliatory measures, until a state of commercial war would have been the normal relation between all the states. It is the history of humanity that a conflict of interests is usually followed by a conflict of arms.

16. The Dartmouth College case, which established the inviolability of contracts, was an industrial bill of rights to the people of this country. It has proved the very fountain of the prosperity which they have achieved and of the greater prosperity which awaits them. While the whole industrial activity of man depends upon his belief in the fulfillment of contracts, there is often a strong tendency in legislatures and governments to repudiate debts or obstruct their collection. When, therefore, Marshall placed the obligation of contracts beyond the power of any state to disturb, he made the industry of this country the most prosperous in the world by making its fruits the most secure.

17. If I were to summarize Marshall's service I should say that on the solid foundation of the Constitution he made power, justice, peace, and prosperity the four great pillars of our governmental system: power by establishing the sovereignty of the general government over the states, thus making it the strongest nation in the world; justice by establishing the dominion of the Constitution over all the departments of the government; peace by establishing freedom of intercourse between all the states; prosperity by establishing the inviolability of private contracts. The decisions of Marshall's successors, without disturbing these pillars, have strengthened them, and the stately fabric of government which they support.

18. The stability of the Union has been secured as much by forbearance in refusing to exercise powers not properly belonging to it as by firmness in enforcing those essential to its existence. The inviolability of contracts has not been allowed to pervert franchises granted for the public convenience into monopolies beyond the power of the state to control. The right of every citizen to trade, move, or labor everywhere throughout the whole territory of the United States on equal terms with all others has not been allowed to interfere with the right of each state to protect health, order, and morals within its limits, the only restriction on its police power being the requirement that every exercise of it must apply equally to citizen and stranger under its jurisdiction.

19. It is perhaps the most extraordinary feature of our political system, as it is the most impressive tribute to Marshall's genius, that the power of the Judiciary — now unquestioned — to fix the limits of its own authority and the authority of all other departments rests not upon any specific provision of the Constitution, but on a principle of construction first announced authoritatively in the case of Marbury against Madison. The approval bestowed on that momentous decision and on every subsequent amplification of its doctrine has been so universal

that the judicial department has been encouraged to extend the buckler of its authority over an ever-widening field, until it has become the dominant force in our national life — the one element which through all our existence has steadily grown in power and beneficence. Never has the Supreme Court exercised its supreme power of setting aside a law of Congress or of a state that the people did not sustain its course with substantial unanimity. With the exception of the Eleventh Amendment, there is not in the history of the United States, or of any state, a single instance in which the people consented to a constitutional provision limiting the power of the Judiciary, while the tendency everywhere has always been to enlarge it. While this respect for the Judiciary remains a conspicuous feature of our national life, no peril to our institutions can ever become serious. Where parliament is supreme, corruption of legislative bodies undermines the life of the whole State, for when the omnipotent source of power itself becomes corrupt, all the streams which flow from it must be tainted, and laws springing from greed are sure to be administered for the plunder and oppression of the people. Under such conditions industry languishes, prosperity withers, civilization itself is imperiled. But under our democratic government the right of the citizen to come and go as he pleases, the right to enjoy his property, to exchange the product of his industry against the commodities produced by others, depend not upon the honesty of the legislature, or the loyalty of the executive, but upon the virtue and independence of the Judiciary. If corruption exists in this country, it can only affect the bestowal of favors by the government; it cannot endanger the life, liberty, or property of a single individual. There may be partiality — corruption, if you will — in the bestowal of public franchises, of public offices, and of public contracts, but while there is none in the administration of justice, while the courts remain true to the example and precepts of Marshall, all the essential rights of the citizen are as secure as

the earth under his feet, they can no more be invaded than the stars in heaven can be blotted from his gaze.

20. One hundred years after the establishment of our Constitution, what purpose expressed in its preamble remains to be accomplished — what hope cherished by its framers is unfulfilled? I know of none. Look around you and tell me if this be an idle boast. Has not the Union been made perfect through the wisdom of the great magistrate who showed its necessity and the blood of the heroes who cemented it? Is not justice firmly established by the unquestioned dominion of the Constitution? Is not domestic tranquillity absolutely insured since perfect freedom of intercourse and trade removes all provocation to hostile acts or feelings between the states? Is not the common defense abundantly provided for by the overwhelming strength of a populous nation whose every inhabitant would die for the integrity of its soil and the glory of its flag? Has not the general welfare been promoted beyond the wildest hopes of the fathers since the security of property encourages industry to wring measureless abundance from a fruitful soil? Are not the blessings of liberty secured for ourselves and our posterity beyond fear of invasion or danger of abridgment by the effective protection which the Judiciary casts over the essential rights of every citizen?

. . . . . .

21. Looking back over the history of this country I cannot entertain a doubt of its security or of its future. While the judicial department remains the depository of our rights and liberties, — the ark of our political covenant, — while the courts remain the inviolable sanctuary of justice, the Constitution will remain the secure foundation of the principles established by Marshall, and this government will continue to be the temple of freedom, the bulwark of order, the light of progress, the supreme monument of what man has achieved, the inspiring promise of the boundless future that awaits him.

INTERNATIONAL ARBITRATION

CARL SCHURZ

AN ADDRESS DELIVERED BEFORE THE AMERICAN CONFERENCE ON INTERNATIONAL ARBITRATION HELD IN WASHINGTON, DISTRICT OF COLUMBIA, APRIL 22, 1896.

INTRODUCTION

Carl Schurz, statesman, journalist, orator, and publicist, was born at Liblar, Prussia, March 2, 1829. While a student at the University of Bonn, in 1849, he participated in a student insurrection against governmental absolutism and for German unification, and took part in the defense of Rastatt, a fortified town of Baden, then occupied by the Revolutionary party. On the surrender of that fortress he was arrested and imprisoned, but escaped to Switzerland. In 1852 he came to America, resided three years in Philadelphia, and then settled in Watertown, Wisconsin. In 1859 he removed to Milwaukee, where he practiced law. He soon became one of the leaders of the newly founded Republican party, and was a prominent speaker for Lincoln during the presidential campaign of 1860. In 1861 President Lincoln appointed him Minister to Spain. Resigning that office to enter the Union army, he served at Chancellorsville, Gettysburg, Chattanooga, and other battles, leaving the army with rank of major general. After the war he settled at St. Louis, and from 1869 to 1875 he represented Missouri in the United States Senate, beginning there the work for the reform of the civil service which did so much to force the Liberal Republican movement of 1872 and the even more decisive "mugwump" revolt of 1884. Mr. Schurz removed to New York City in 1875. From 1877 to 1881 he was Secretary of the Interior, retiring to devote himself to journalism and literature. In 1881–1883 he edited the New York *Evening Post*, and thereafter was a writer and speaker on various public questions. In 1892, on the death of

George William Curtis, he was made president of the National Civil Service Reform Association. On March 2, 1899, his seventieth birthday was celebrated at Delmonico's, New York City, by a complimentary dinner which was attended by many of the nation's most prominent men. He died May 14, 1906.

For fifty years Mr. Schurz wielded an influence over public opinion in this country, especially among German-American citizens, that it would be hard to overestimate. And this in spite of bitter political opposition. In politics he was always a conservative independent, opposing any tendency that seemingly threatened the cause of individual liberty which he espoused in his native country. Though usually favoring the principles and policies of the Republican party, his political influence and appointments were won by sheer force of ability and statesmanship. His attitude on political questions was that of the statesman rather than that of the mere politician. He never spoke solely for any party, and never had any party behind him. He supported Horace Greeley for President in 1872, and as one of the leaders of the "mugwump" movement in 1884 he helped indirectly to elect President Cleveland. As United States Senator he opposed many of the principal measures of Grant's administration. Against the bitter partisanry of the Republican majority, in dealing with the problems of Reconstruction, he stood for a just and generous policy. In 1872 he delivered a notable speech in the Senate, favoring a policy of general amnesty toward the South and urging the removal of all political disabilities imposed by the third section of the Fourteenth Amendment to the Constitution. For cogency of reasoning, keen insight into the motives and springs of human action, and persuasive appeal to the nobler sentiments of his hearers, this speech stands out in marked contrast to much of the coarse and brutal haranguing of that period. In concluding this speech, he said:

"I would not have the past forgotten, but I would have its history completed and crowned by an act most worthy of a great, noble, and wise people. . . . I do not, indeed, indulge in the delusion that this act alone will remedy all the evils which we now deplore. No, it will not; but it will be a powerful appeal to the very best instincts and impulses of human nature; it will, like a warm ray of sunshine in springtime, quicken and call to light the germs of good intention wherever they exist; it will give new

courage, confidence, and inspiration to the well-disposed; it will weaken the power of the mischievous by stripping off their pretexts and exposing in their nakedness the wicked designs they still may cherish; it will light anew the beneficent glow of fraternal feeling and of national spirit; for, Sir, your good sense as well as your heart must tell you that when this is truly a people of citizens equal in their political rights, it will then be easier to make it also a people of brothers."

At the celebration of Mr. Schurz's seventieth birthday, previously mentioned, Honorable Moorfield Storey, of Boston, said:

"Mr. Schurz brought into the Senate a fresh moral force, and as we read his speeches we cannot fail to recognize with fresh admiration the unvarying wisdom, the far-seeing statesmanship, the unflinching courage, the high purpose, with which he met them all. The singular clearness of statement, which has never deserted him, his wonderful command of English, the unfailing calmness and dignity with which he encountered and returned the attacks of his opponents, made him the first debater in the Senate, and an orator second to none. But he never descended to anything unworthy, and you may search his speeches in vain for any appeal to low motive, for any trace of thought for his personal fortunes."

Mr. Schurz may properly be considered as one of the foremost American orators. As a speaker he was noted for his plainness and directness. Except a slight accent in delivery, there was nothing about his speaking for which he had to claim indulgence. His style is unornamented and businesslike; yet in spite of their lack of the poetical quality his speeches have done much to make American history. "But," says Reverend Richard S. Storrs in one of his speeches, "no discourse that he can utter, however brilliant in rhetoric; no analysis, however lucid; no clear and comprehensive sweep of his thought, though expressed in words which ring in our ears and live in our memories, can so fully and fittingly illustrate to us the progress of liberal ideas as does the man himself, in his character and career — an Old-World citizen of the American Republic whose marvelous mastery of our tough English tongue is still surpassed by his more marvelous mastery over the judgments and the hearts of those who hear him use it."

The following speech was selected by Mr. Schurz himself as representing a subject of present interest, and as one of the best

of his later addresses. It was delivered before a body of distinguished men, and the invitation extended Mr. Schurz to address them was a deserved recognition of the speaker's authority on the question of international arbitration.

1. MR. PRESIDENT AND GENTLEMEN OF THE CONFERENCE: I have been honored with the request that I should address you on the desirableness of arbitration as a method of settling international disputes. To show that arbitration is preferable to war should be, among civilized people, as superfluous as to show that to refer disputes between individuals or associations to courts of justice is better than to refer them to single combat or to street fights, — in one word, that the ways of civilization are preferable to those of barbarism. Neither is there any doubt as to the practicability of international arbitration. What seemed an idealistic dream in Hugo Grotius's time, is now largely an established practice: no longer an uncertain experiment, but an acknowledged success. In this century not less than eighty controversies between civilized powers have been composed by arbitration. And more than that. Every international dispute settled by arbitration has stayed settled, while during the same period some of the results of great wars have not stayed settled, and others are unceasingly drawn in question, being subject to the shifting preponderance of power. And such wars have cost rivers of blood, countless treasure, and immeasurable misery, while arbitration has cost comparatively nothing. Thus history teaches the indisputable lesson that arbitration is not only the most human and economical method of settling international differences, but also the most, if not the only, certain method to furnish enduring results.

2. As to the part war has played, and may still have to play, in the history of mankind, I do not judge as a blind sentimentalist. I readily admit that, by the side of horrible devastations and barbarous cruelty, great and beneficent things have been accomplished by means of war, in forming nations and in

spreading and establishing the rule or influence of the capable and progressive. I will not inquire how much of this work still remains to be done, and what place war may have in it. But surely, among the civilized nations of to-day — and these we are considering — the existing conditions of intercourse largely preclude war as an agency for salutary objects. The steamship, the railroad, the telegraph, the postal union, and other international arrangements facilitating transportation and the circulation of intelligence have broken down many of the barriers which formerly enabled nations to lead separate lives, and have made them, in those things which constitute the agencies of well-being and of progressive civilization, in a very high degree dependent upon each other. And this development of common life interests and mutual furtherance, mental as well as material, still goes on in continuous growth. Thus a war between civilized nations means now a rupture of arteries of common life-blood, a stoppage of the agencies of common well-being and advancement, a waste of energies serviceable to common interests, — in one word, a general disaster, infinitely more serious than in times gone by; and it is, consequently, now an infinitely more heinous crime against humanity, unless not only the ends it is to serve fully justify the sacrifices it entails, but unless also all expedients suggested by the genius of peace have been exhausted to avert the armed conflict.

3. Of those pacific expedients, when ordinary diplomatic negotiation does not avail, arbitration has proved itself most effective. And it is the object of the movement in which we are engaged, to make the resort to arbitration, in case of international difficulty, still more easy, more regular, more normal, more habitual, and thereby to render the resort to war more unnatural and more difficult than heretofore.

4. In this movement the Republic of the United States is the natural leader, and I can conceive for it no nobler or more beneficent mission. The naturalness of this leadership is owing

to its peculiar position among the nations of the earth. Look at the powers of the Old World, how each of them is uneasily watching the other; how conflicting interests or ambitions are constantly exciting new anxieties; how they are all armed to the teeth, and nervously increasing their armaments, lest a hostile neighbor overmatch them; how they are piling expense upon expense and tax upon tax to augment their instruments of destruction; how, as has been said, every workingman toiling for his daily bread has to carry a full-armed soldier or sailor on his back; and how, in spite of those bristling armaments, their sleep is unceasingly troubled by dreams of interest threatened, of marches stolen upon them, of combinations hatched against them, and of the danger of some accident breaking the precarious peace and setting those gigantic and exhausting preparations in motion for the work of ravage and ruin.

5. And then look at this Republic, stronger than any nation in Europe in the number, intelligence, vigor, and patriotism of its people, and in the unparalleled abundance of its barely broached resources; resting with full security in its magnificent domain; standing safely aloof from the feuds of the Old World; substantially unassailable in its great continental stronghold; no dangerous neighbors threatening its borders; no outlying and exposed possessions to make it anxious; the only great power in the world seeing no need of keeping up vast standing armaments on land or sea to maintain its peace or to protect its integrity; its free institutions making its people the sole master of its destinies; and its best political traditions pointing to a general policy of peace and good will among men. What nation is there better fitted to be the champion of this cause of peace and good will than this, so strong although unarmed, and so entirely exempt from any imputation of the motive of fear or of selfish advantage? Truly, this Republic with its power and its opportunities is the pet of destiny.

6. As an American citizen I cannot contemplate this noble peace mission of my country without a thrill of pride. And I must confess, it touches me like an attack upon the dignity of this Republic when I hear Americans repudiate that peace mission upon the ground of supposed interests of the United States, requiring for their protection or furtherance preparation for warlike action and the incitement of a fighting spirit among our people. To judge from the utterances of some men having the public ear, we are constantly threatened by the evil designs of rival or secretly hostile powers that are eagerly watching every chance to humiliate our self-esteem, to insult our flag, to balk our policies, to harass our commerce, and even to threaten our independence, and putting us in imminent danger of discomfiture of all sorts, unless we stand with sword in hand in sleepless watch, and cover the seas with war ships, and picket the islands of every ocean with garrisoned outposts, and surround ourselves far and near with impregnable fortresses. What a poor idea those indulging in such talk have of the true position of their country among the nations of the world!

7. A little calm reflection will convince every unprejudiced mind that there is not a single power, nor even an imaginable combination of powers, on the face of the globe that can wish — I might almost say that can afford — a serious quarrel with the United States. There are very simple reasons for this. War in our days is not a mere matter of military skill, nor even — as it would certainly not be in our case — a mere matter of preparation for the first onset. It is a matter of material resources, of reserves, of staying power. Now, considering that in all these respects our means are substantially inexhaustible, and that the patriotic spirit and the extraordinary ingenuity of our people would greatly aid their development in the progress of a conflict; considering that, however grievous might be the injuries which a strong hostile navy could inflict upon us at the beginning of a war, it could not touch a vital point, as on

land we would be immensely superior to any army that could be brought upon our shores; considering that thus a war with the United States, as a test of endurance, would, so far as our staying power is concerned, be a war of indefinite duration; considering all these things, I am justified in saying that no European power can engage in such a conflict with us, without presenting to its rivals in the Old World the most tempting opportunity for hostile action. And no European power will do this, unless forced by extreme necessity. For the same reason, no European power will, even if it were so inclined, insist upon doing anything injurious to our interests that might lead to a war with the United States. We may therefore depend upon it with absolute assurance that, whether we are armed or not, no European power will seek a quarrel with us; that, on the contrary, they will avoid such a quarrel with the utmost care; that we cannot have a war with any of them, unless we wantonly and persistently seek such a war; and that they will respect our rights and comply with our demands, if just and proper, in the way of friendly agreement.

8. If anybody doubts this, let him look at a recent occurrence. The alarmists about the hostility to us of foreign powers usually have Great Britain in their minds. I am very sure President Cleveland, when he wrote his Venezuela message, did not mean to provoke a war with Great Britain. But the language of that message might have been construed as such a provocation, by anybody inclined to do so. Had Great Britain wished a quarrel with us, here was a tempting opportunity. Everybody knew that we had but a small navy, an insignificant standing army, and no coast defenses; and in fact we were entirely unprepared for a conflict. The public opinion of Europe, too, was against us. What did the British government do? It did not avail itself of that opportunity. It did not resent the language of that message. On the contrary, the Queen's speech from the throne gracefully turned

that message into an "expression of willingness" on the part of the United States to coöperate with Great Britain in the adjustment of the Venezuela boundary dispute.

9. It has been said that the conciliatory mildness of this turn was owing to the impression produced in England by the German Emperor's congratulatory dispatch to the President of the South African Republic. If the two things were so connected, it would prove what I have said, that even the strongest European government will be deterred from a quarrel with the United States by the opportunities which such a quarrel would open to its rivals. If the two things were not so connected, it would prove that even the strongest European power will under any circumstances go to very great lengths in the way of conciliation, to remain on friendly terms with this Republic.

10. In the face of these indisputable facts, we hear the hysterical cries of the alarmists, who scent behind every rock or bush a foreign foe standing with dagger in hand ready to spring upon us and to rob us of our valuables if not to kill us outright, or at least making faces at us or insulting the stars and stripes. Is not this constant and eager looking for danger or insult where neither exists, very like that melancholy form of insanity called persecution mania, which is so extremely distressing to the sufferers and their friends? We may heartily commiserate the unfortunate victims of so dreadful an affliction; but surely the American people should not take such morbid hallucinations as a reason for giving up that inestimable blessing of not being burdened with large armaments, and for embarking upon a policy of warlike preparation and bellicose bluster.

11. It is a little less absurd in sound, but not in sense, when people say that instead of trusting in our position as the great peace power, we must at least have plenty of war ships to "show our flag" everywhere, and to impress foreign nations

with our strength, to the end of protecting and developing our maritime commerce. Granting that we should have a sufficient naval force for our share of police work on the seas, would a large armament be required on account of our maritime trade? Let us see. Fifty years ago, as the official statistics of "the value of foreign trade carried in American and foreign vessels" show, nearly eighty-two per cent of that trade was carried on in American vessels. Between 1847 and 1861 the percentage fell to sixty-five. Then the Civil War came, at the close of which American bottoms carried only twenty-eight per cent of that trade; and now we carry less than twelve per cent. During the period when this maritime trade rose to its highest development, we had no naval force to be in any degree compared with those of the great European powers. Nor did we need any for the protection of our maritime commerce, for no foreign power molested that commerce. In fact, since the War of 1812, it has not been molested by anybody so as to require armed protection, except during the Civil War by Confederate cruisers. The harassment ceased again when the Civil War ended, but our merchant shipping on the high seas continued to decline.

12. That decline was evidently not owing to the superiority of other nations in naval armament. It was coincident with the development of ocean transportation by iron steamships instead of wooden sailing ships. The wooden sailing ships we had in plenty, but of iron steamships we have only a few. It appears, therefore, that whatever we may need a large war fleet for, it is certainly not for the development of our maritime commerce. To raise that commerce to its old superiority again, we want no more war ships, but more merchant vessels. To obtain these, we need a policy enabling American capital and enterprise to compete in that business with foreign nations. And to make such a policy fruitful, we need, above all things, peace. And we shall have that peace so long as we abstain

from driving some foreign power, against its own inclination, into a war with the United States.

13. Can there be any motive other than the absurd ones mentioned to induce us to provoke such a war? I have heard it said that a war might be desirable to enliven business again. Would not that be as wise and moral as a proposition to burn down our cities for the purpose of giving the masons and carpenters something to do? Nay, we are even told that there are persons who would have a foreign war on any pretext, no matter with whom, to the end of bringing on a certain change in our monetary policy. But the thought of plotting in cold blood to break the peace of the country, and to send thousands of our youths to slaughter, and to desolate thousands of American homes, for an object of internal policy, whatever it may be, is so abominable, so ghastly, so appalling, that I dismiss it as impossible of belief.

14. I know, however, from personal experience, of some otherwise honorable and sensible men who wish for a war on sentimental — aye, on high moral grounds. One of them, whom I much esteem, confessed to me that he longed for a war, if not with England, then with Spain or some other power, as he said, "to lift the American people out of their materialism and to awaken once more that heroic spirit which moved young Cushing to risk his life in blowing up the Confederate steamer *Albemarle*." This, when I heard it, fairly took my breath away. And yet, we must admit, such fanatical confusion of ideas is not without charm to some of our high-spirited young men. But what a mocking delusion it is! To lift a people out of materialism by war! Has not war always excited the spirit of reckless and unscrupulous speculation, not only while it was going on, but also afterwards, by the economic disorders accompanying and outlasting it? Has it not always stimulated the rapid and often dishonest accumulation of riches on one side, while spreading and intensifying want and

misery on the other? Has it not thus always had a tendency to plunge a people still deeper into materialism? Has not every great war left a dark streak of demoralization behind? Has it not thus always proved dangerous to the purity of republican governments? Is not this our own experience? And as to awakening the heroic spirit — does it not, while stirring noble impulses in some, excite the base passions in others? And do not the young Cushings among us find opportunities for heroism in the life of peace, too? Would it be wise, in the economy of the universe, to bring on a war, with its bloodshed and devastation, its distress and mourning, merely for the purpose of accommodating our young braves with chances for blowing up ships? The old Roman poet tells us that it is sweet and glorious to die for one's country. It is noble, indeed. But to die on the battlefield is not the highest achievement of heroism. To live for a good cause honestly, earnestly, unselfishly, laboriously, is at least as noble and heroic as to die for it, and usually far more difficult.

15. I have seen war. I have seen it with its glories and horrors; with its noble emotions and its bestialities; with its exaltations and triumphs, and its unspeakable miseries and baneful corruptions; and heard flippant talk of war, as if it were only a holiday pastime or a mere athletic sport. We are often told that there are things worse than war. Yes, but not many. He deserves the curse of mankind who, in the exercise of power, forgets that war should be only the very last resort, even in contending for a just and beneficent end, after all the resources of peaceful methods are thoroughly exhausted. As an American, proud of his country and anxious that this Republic should prove itself equal to the most glorious of its opportunities, I cannot but denounce as a wretched fatuity that so-called patriotism which will not remember that we are the envy of the whole world for the priceless privilege of being exempt from the oppressive burden of warlike preparations;

which, when it sees other nations groaning under that load, tauntingly asks, "Why do you not disarm?" and then insists that the American people too shall put the incubus of a heavy armament on their backs; and which would drag this Republic down from its high degree of the championship of peace among nations, and degrade it to the vulgar level of the bully ready and eager for a fight.

16. We hear much of the necessity of an elaborate system of coast fortifications to protect our seaports from assault. How far such system may be desirable, I will not here discuss. But I am confident our strongest, most effective, most trustworthy, and infinitely the cheapest coast defense will consist in "Fort Justice," "Fort Good Sense," "Fort Self-respect," "Fort Good Will," and if international differences really do arise, "Fort Arbitration."

17. Let no one accuse me of resorting to the claptrap of the stump speech in discussing this grave subject. I mean exactly what I say, and am solemnly in earnest. This Republic can have no other armament so effective as the weapons of peace. Its security, its influence, its happiness, and its glory will be the greater, the less it thinks of war. Its moral authority will be far more potent than its intercourse with foreign nations, be best maintained by that justice which is the duty of all; by that generous regard not only for the rights, but also the self-respect of others, which is the distinguishing mark of the true gentleman; and by that patient forbearance which is the most gracious virtue of the strong.

18. For all these reasons, it appears to me this Republic is the natural champion of the great peace measure, for the furtherance of which we are met. The permanent establishment of a general court of arbitration to be composed of representative jurists of the principal states, and to take cognizance of all international disputes that cannot be settled by ordinary diplomatic negotiation, is no doubt the ideal to be

aimed at. If this cannot be reached at once, the conclusion of an arbitration treaty between the United States and Great Britain may be regarded as a great step in that direction.

19. I say this, not as a so-called Anglomaniac, bowing down before everything English. While I admire the magnificent qualities and achievements of that great nation, I am not blind to its faults. I suppose Englishmen candidly expressing their sentiments speak in a similar strain of us. But I believe that an arbitration agreement between just these two countries would not only be of immense importance to themselves, but also serve as an example to invite imitation in wider circles. In this respect, I do not think that the so-called blood relationship of the two nations, which would make such an arbitration agreement between them appear more natural, furnishes the strongest reason for it. It is indeed true that the ties binding the two peoples sentimentally together would give to a war between them an especially wicked and heinous aspect. But were their arbitration agreement placed mainly on this ground, it would lose much of its important significance for the world at large.

20. In truth, however, the common ancestry, the common origin of institutions and laws, the common traditions, the common literature, and so on, have not prevented conflicts between the Americans and the English before, and they would not alone be sufficient to prevent them in the future. Such conflicts may, indeed, be regarded as family feuds; but family feuds are apt to be the bitterest of all. In point of fact, there is by no means such a community or accord of interest or of feeling between the two nations as to preclude hot rivalries and jealousies on many fields which might now and then bring forth an exciting clash. We hear it said even now, in this country, that Great Britain is not the power with whom to have a permanent peace arrangement, because she is so high-handed in her dealings with other nations. I should not wonder if the same thing were said in England about the

United States. This, of course, is not an argument against an arbitration agreement, but rather for it. Such an arrangement between nations of such temper is especially called for, to prevent that temper from running away with calm reason. Between perfect angels from heaven an arbitration treaty would be superfluous.

21. The institution of a regulated and permanent system of arbitration between the United States and Great Britain would, therefore, not be a mere sentimental cooing between loving cousins, nor a mere stage show gotten up for the amusement of the public, but a very serious contrivance intended for very serious business. It will set to mankind the example of two very great nations, the greatest rivals in the world, neither of them a mere theorist or sentimental dreamer, both intensely practical, self-willed, and hard-headed, deliberately agreeing to abstain from the barbarous ways of bygone times in adjusting the questions of conflicting interest or ambition that may arise between them, and to resort, instead, in all cases of difficulty to the peaceable and civilized methods suggested by the enlightenment, the moral sense, and the human spirit of our age. If these two nations prove that this can be done, will not the conclusion gradually force itself upon other civilized nations that, by others too, it ought to be done, and finally that it must be done? This is the service to be rendered, not only to ourselves, but to mankind.

22. While the practicability of international arbitration, by tribunals established in each case, has been triumphantly proved, there is some difference of opinion as to whether a permanent tribunal is possible, whether it can be so organized as to be fit for the adjustment of all disputes that might come before it; and whether there would be any power behind it to enforce its adjudications, in case one party or the other refused to comply. Such doubts should not disturb our purpose. Similar doubts had to be overcome at every step of

the progress from the ancient wager of battle to the present organization of courts of justice. I am sanguine enough to believe that, as soon as the two governments have once resolved that a fixed system of international arbitration shall be established between them, the same ingenuity which has been exerted in discovering difficulties will then be exerted in removing them, and most of them will be found not to exist. The end to be reached in good faith determined upon, a workable machinery will soon be devised, be it a permanent arbitration tribunal, or the adoption of an organic rule for the appointment of a special tribunal for each case. We may trust to experience to develop the best system.

23. Neither am I troubled by the objection that there are some international disputes which, in their very nature, cannot be submitted to arbitration, especially those involving questions of national honor. When the habit of such submission is once well established, it will doubtless be found that most of the questions now thought unfit for it are entirely capable of composition by methods of reason and equity. And as to so-called questions of honor, it is time for modern civilization to leave behind it those mediæval notions, according to which personal honor found its best protection in the dueling pistol, and national honor could be vindicated only by slaughter and devastation. Moreover, was not the great Alabama case, which involved points very closely akin to questions of honor, settled by international arbitration, and does not this magnificent achievement form one of the most glorious pages of the common history of America and England? Truly, the two nations that accomplished this need not be afraid of unadjustable questions of honor in the future.

24. Indeed, there will be no recognized power behind a court of arbitration, like an international sheriff or other executionary force, to compel the acceptance of its decisions by an unwilling party. In this extreme case there would be,

as the worst possible result, what there would have been without arbitration — war! But in how many of the fourscore cases of international arbitration we have witnessed in this century, has such an enforcing power been needed? In not a single one. In every instance the same spirit which moved the contending parties to accept arbitration moved them also to accept the verdict. Why, then, borrow trouble where experience has shown that there is no danger of mischief? The most trustworthy compelling power will always be the sense of honor of the parties concerned, and their respect for the enlightened judgment of civilized mankind which will watch the proceedings. We may therefore confidently expect that a permanent system of arbitration will prove as feasible as it is desirable. Nor is there any reason to doubt that its general purpose is intelligently and warmly favored by the best public sentiment both in England and in the United States. The memorial of two hundred and thirty-three members of the British House of Commons which, in 1887, was presented to the President and the Congress of the United States, expressing the wish that all international differences be submitted to arbitration, was, in 1890, echoed by a unanimous vote of our Congress requesting the President to open negotiations, in this sense, with all countries with which we had diplomatic relations. Again this sentiment broke forth in England as well as here, on the occasion of the Venezuela excitement, in demonstrations of the highest respectability. Indeed, the popular desire, as well as the argument, seems to be all on one side. I have heard of only one objection that makes the slightest pretense to statesmanship, and it needs only to be stated to cover its supporters with confusion. It is that we are a young and aspiring people, and that a binding arbitration treaty would hamper us in our freedom of action!

25. Let the light be turned upon this. What is it that an arbitration treaty contemplates? That in all cases of dispute

between this and a certain other country, there shall be an impartial tribunal regularly appointed to decide, upon principles of international law, equity, and reason, what this and what the other country may be justly entitled to. And this arrangement is to be shunned as hampering our freedom of action!

26. What will you think of a man who tells you that he feels himself intolerably hampered in his freedom of action by the ten commandments or by the criminal code? What respect and confidence can a nation claim for its character that rejects a trustworthy and well-regulated method of ascertaining and establishing right and justice, avowedly to preserve its freedom of action? Shame upon those who would have this great Republic play so disreputable a part! I protest that the American people are an honorable people. Wherever its interests or ambitions may lead this great nation, I am sure it will always preserve the self-respect which will prompt it to court the search light of truth and justice rather than, by skulking on dark and devious paths, to seek to evade it.

27. Therefore, I doubt not that the patriotic citizens assembled here to promote the establishment of a permanent system of arbitration between this country and Great Britain may be confident of having the warm sympathy of the American people behind them, when they knock at the door of the President of the United States, and say to him: "In the name of all good Americans we commend this cause to your care. If carried to a successful issue, it will hold up this Republic to its noblest ideals. It will illuminate with fresh luster the close of this great century. It will write the name of the American people foremost upon the roll of the champions of the world's peace and of true civilization."

OPPORTUNITY

JOHN LANCASTER SPALDING

AN ADDRESS DELIVERED AT THE OPENING OF SPALDING INSTITUTE, PEORIA, ILLINOIS, DECEMBER 6, 1899

INTRODUCTION

John Lancaster Spalding, writer, preacher, and orator, a descendant of an old English Catholic family, was born in Lebanon, Kentucky, June 2, 1840. He was educated at the Mount St. Mary's College, Cincinnati, Ohio, and at the University of Louvain, Belgium, where he was ordained priest in 1863. In 1865 he entered upon his priestly career at the Cathedral of Louisville. In 1872 he was selected to write the biography of his distinguished uncle, Martin John Spalding, formerly Archbishop of Baltimore, — a work which has been accepted as the best biography in Catholic literature.

Father Spalding was consecrated Bishop of Peoria, Illinois, May 1, 1877, and his work has since been centered in this field. Along with the work in his diocese, he has taken a prominent part in various educational and social movements, and his position as an authority in the latter class of questions was recognized by his appointment in 1902 as a member of the President's commission to investigate the coal strike.

He early attracted attention as a pulpit orator. "Priests and people flocked to hear the orator who could make men think." Of late years he has been in constant demand as a speaker for various occasions. A man of strong mentality, he has a happy faculty of crystallizing his thought in brilliant expression. In the volume commemorative of Bishop Spalding's Silver Jubilee in 1899, — the occasion that called forth the address in this volume, — one writer says:

"America has no finer type of the cultured Christian gentleman; an uncynical sage, a thinker unafraid, a churchman without cant, an unselfish patriot, a large-minded, genuine, reverent man. . . . At the beginning of this new century Bishop Spalding stands prophet-like apart to remind men of the nobler purposes of living."

1. How shall I live? How shall I make the most of my life and put it to the best use? How shall I become a man and do a man's work? This, and not politics or trade or war or pleasure, is the question. The primary consideration is not how one shall get a living, but how he shall live; for if he live rightly, whatever is needful he shall easily find. Life is opportunity, and therefore its whole circumstance may be made to serve the purpose of those who are bent on self-improvement, on making themselves capable of doing thorough work. Opportunity is a word which, like so many others that are excellent, we get from the Romans. It means near port, close to haven. It is a favorable occasion, time, or place for learning or saying or doing a thing. It is an invitation to seek safety and refreshment, an appeal to make escape from what is low and vulgar and to take refuge in high thoughts and worthy deeds, from which flow increase of strength and joy. It is omnipresent. What we call evils, as poverty, neglect, and suffering, are, if we are wise, opportunities for good. Death itself teaches life's value not less than its vanity. It is the background against which its worth and beauty stand forth in clear relief. Its dark form follows us like our shadow, to bid us win the prize while yet there is time; to teach that if we live in what is permanent, the destroyer cannot blight what we know and love; to urge us, with a power that belongs to nothing else, to lay the stress of all our hoping and doing on the things that cannot pass away. "Poverty," says Ouida, "is the north wind that lashes men into Vikings." "Lowliness is young ambition's ladder." What is more pleasant than to read of strong-hearted youths, who, in the midst of want and hardships of many kinds, have

clung to books, feeding, like bees to flowers? By the light of pine logs, in dim-lit garrets, in the fields following the plow, in early dawns when others are asleep, they ply their blessed task, seeking nourishment for the mind, athirst for truth, yearning for full sight of the high worlds of which they have caught faint glimpses; happier now, lacking everything save faith and a great purpose, than in after years when success shall shower on them applause and gold.

2. Life is good, and opportunities of becoming and doing good are always with us. Our house, our table, our tools, our books, our city, our country, our language, our business, our profession, — the people who love us and those who hate, they who help and they who oppose, — what is all this but opportunity? Wherever we be there is opportunity of turning to gold the dust of daily happenings. If snow and storm keep me at home is not here an invitation to turn to the immortal silent ones who never speak unless they are addressed? If loss or pain or wrong befall me, shall they not show me the soul of good there is in things evil? Good fortune may serve to persuade us that the essential good is a noble mind and a conscience without flaw. Success will make plain the things in which we fail; failure shall spur us on to braver hope and striving. If I am left alone, yet God and all the heroic dead are with me still. If a great city is my dwelling place, the superficial life of noise and haste shall teach me how blessed a thing it is to live within in the company of true thoughts and high resolves.

3. Whatever can help me to think and love, whatever can give me strength and patience, whatever can make me humble and serviceable, though it be a trifle light as air, is opportunity, whose whim it is to hide in unconsidered things, in chance acquaintance and casual speech, in the falling of an apple, in floating weeds, or the accidental explosion in a chemist's mortar. Wisdom is habited in plainest garb, and she walks modestly,

unheeded of the gaping and wondering crowd. She rules over the kingdom of little things, in which the lowly minded hold the places of privilege. Her secrets are revealed to the careful, the patient, and the humble. They may be learned from the ant, or the flower that blooms in some hidden spot, or from the lips of husbandmen and housewives. He is wise who finds a teacher in every man, an occasion to improve in every happening, for whom nothing is useless or in vain. If one whom he has trusted prove false, he lays it to the account of his own heedlessness and resolves to become more observant. If men scorn him, he is thankful that he need not scorn himself. If they pass him by, it is enough for him that truth and love still remain. If he is thrown with one who bears himself with ease and grace, or talks correctly in pleasantly modulated tones, or utters what can spring only from a sincere and generous mind,— there is opportunity. If he chance to find himself in the company of the rude, their vulgarity gives him a higher estimate of the worth of breeding and behavior. The happiness and good fortune of his fellows add to his own. If they are beautiful or wise or strong, their beauty, wisdom, and strength shall in some way help him. The merry voices of children bring gladness to his heart; the songs of birds wake melody there. Whoever anywhere, in any age, spoke noble words or performed heroic deeds, spoke and wrought for him. For him Moses led the people forth from bondage; for him the three hundred perished at Thermopylæ; for him Homer sang; for him Demosthenes denounced the tyrant; for him Columbus sailed the untraveled sea; for him Galileo gazed on the starry vault; for him the blessed Saviour died. He knows that whatever diminishes his good will to men, his sympathy with them, even in their blindness and waywardness, makes him poorer, and he therefore finds means to convert their faults even into opportunities for loving them more. The rivalries of business and politics, the shock of conflicting aims and interests, the prejudices and

perversities of men, shall not cheat him of his own good by making him less just or kind. He stands with the Eternal for righteousness, and will not suffer that fools or criminals divert him to lower ends. If we have but the right mind, all things, even those that hurt, help us. "That which befits us," says Emerson, "embosomed in beauty and wonder as we are, is cheerfulness and courage, and the endeavor to realize our aspirations. The life of man is the true romance which, when it is valiantly conducted, yields the imagination a higher joy than any fiction." May we not make the stars and the mountains and the all-enduring earth minister to tranquillity of soul, to elevation of mind, and to patient striving? Have not the flowers and human eye and the look of heaven when the sun first appears or departs, power to show us that God is beautiful and good?

4. Since life is great, nay, of inestimable value, no opportunity by which it may be improved can be small. Higher things remain to be done than have yet been accomplished. God and His universe still wait on each individual soul, offering opportunity. In the midst of the humble and inevitable realities of daily life each one must seek out for himself the way to better worlds. Our power, our worth will be proportionate to the industry and perseverance with which we make right use of the ever-recurring minor occasions, whether for becoming or for doing good. Opportunity is not wanting — there is place and means for all — but we lack will, we lack faith, hope, and desire, we lack watchfulness, meditation, and earnest striving, we lack aim and purpose. Do we imagine that it is not possible to lead a high life in a lowly room? That one may not be hero, sage, or saint in a factory or a coalpit, at the handle of the plow or the throttle of the engine? We are all in the center of the same world, and whatever happens to us is great, if there be greatness in us. The disbelievers in opportunity are voluble with excuses. They cannot; they

have no leisure; they have not the means. But they can if they will; leisure to improve oneself is never wanting, and they who seek find the means. There is always opportunity to do right, though he who does it stand alone, like Abdiel,

> Among innumerable false, unmoved,
> Unshaken, unseduced, unterrified.

5. Let a man but have an aim, a purpose, and opportunities to attain his end shall start forth like buds at the kiss of spring. If we do not know what we want, how shall anything be made to serve us? The heedless walk through deserts in which the observant find the most precious things. Little is to be hoped for from the weavers of pretexts, from those who tell us what they should do, if circumstances were other. What hinders helps, where souls are alive. Say not thou lackest talent. What talent had any of the great ones better than their passionate trust in the efficacy of labor?

6. The important thing is to have an aim and to pursue it with perseverance. What is the aim the wise should propose to themselves? Not getting and possessing, but becoming and being. Man is not only more than anything that can belong to him: he is greater than planets and solar systems. We easily persuade ourselves that were circumstances more favorable we should be better and happier. It may be so, but the mood is weak and foolish. There is never a question of what might have been where true men think and act. The past is irrecoverable. It is our business to do what we can here and now, and regrets serve but to enfeeble and distract us. The boundless good lies near each one, and though a thousand times it has eluded us, let us believe that now we shall hold it fast. From failure to failure we rise toward truth and love. The ascent is possible even for the lowliest of God's creatures. When, indeed, we look backward through long years of life, lost opportunities rise before us like mocking fiends crying,

"Too late, too late! Nevermore, nevermore!"; but the wise heed no voice that bids them lose heart. They look ever forward, they press toward the mark, knowing that the present moment is the only opportunity. Now is the day of salvation, now is the day of doom. The individual is but as a bubble that rises from out the infinite ocean of being and bursts in the inane; but his life is nevertheless enrooted in the Absolute, and all the circumstances by which his existence is surrounded and attended are but meant to awaken in him a knowledge and appreciation of his abiding and inestimable worth. They all, therefore, are or may be made opportunities. The paramount consideration is not what will procure for him more money, finer houses, better machines, more rapid or more destructive engines, but what will make him wiser, stronger, holier, more loving, more godlike.

7. What innumerable blessings we miss through lack of sensibility, of openness to light, of fair-mindedness, of insight, of teachableness, — virtues which it is possible for all to cultivate! The best is not ours, not because it is far away and unattainable, but because we ourselves are indifferent, narrow, short-sighted and unsympathetic. To make our world larger and fairer it is not necessary to discover or acquire new objects, but to grow into conscious and loving harmony with the good which is ever-present and inviting. How much of life's joy we lose from want of a fearless and cheerful spirit! The brave and glad-hearted, like the beautiful, are welcome in all companies.

8. It is our own fault if beauty is not ours. A fair and luminous mind creates a body after its own image. With health and a soul, nor man nor woman can be other than beautiful, whatever the features. The most potent charm is that of expression. As the moonlight clothes the rugged and jagged mountain with loveliness, so a noble mind transfigures its vesture.

9. The man himself is the best part of the opportunity. The starlit heaven is not sublime when there is no soul capable of awe; the spring is not fair where there is no glad heart to see and feel. Opportunity is living correspondence with one's environment. Where there is no correspondence there is no opportunity. For ages the exhaustless resources of America lay unknown and unutilized because the right kind of a man was not here. The Kimberley diamonds were but worthless pebbles, the playthings of the children of savages, until it chanced that they fell under the eye of one who knew how to look. . . .

10. Here in America, above all, the new age approaching offers opportunity. Here only a beginning has been made; we have but felled the forest, and drained the marsh, and bridged the river, and built the road; but cleared the wild-wood and made wholesome the atmosphere for a more fortunate race, whom occasion shall invite to greater thoughts and more godlike deeds. We stand in the front rank of those who face life, dowered with all the instruments of power which the labors of the strongest and wisest in all time and place have provided.

11. We might have been born savages or slaves, in a land of cannibals or tyrants; but we enter life welcomed by all that gives worth and joy, courage and security to man. There is inspiration in the air of America. Here all is fresh and young, here progress is less difficult, here there is hope and confidence, here there is eagerness to know and to do. Here they who are intelligent, sober, industrious, and self-denying may get what money is needed for leisure and independence, for the founding of a home and the right education of children, — the wealth which strengthens and liberates, not the excess which undermines and destroys. The material is good but in so far as it is a means to spiritual good. The power to think and appreciate the thoughts of others, to love and to be happy

in the joy, the courage, the beauty, and the goodness of others, lifts us above our temporal environment, and endows us with riches of which money can never be the equivalent. A great thought or a noble love, like a beautiful object, bears us away from the hard and narrow world of our selfish interest, dips us in the clear waters of pure delight, and makes us glad as children who lie in the shade and catch the snowy blossoms as they fall.

12. No true man ever believes that it is not possible to do great things without great riches. When, therefore, we say with Emerson, that America is but a name for opportunity, we do not emphasize its material resources or the facility with which they may be made available. He who knows that the good of life lies within and that it is infinite, capable of being cherished and possessed more and more by whoever seeks it with all his heart, understands that a little of what is external is sufficient and is not hard to acquire. He, therefore, neither gives himself to the pursuit of wealth or fame or pleasure or position, nor thinks those fortunate who are rich in these things. He feels that the worst misfortune is not the loss of money or friends or reputation, but the loss of inner strength and wholeness, of faith in God and man, of self-respect, of the desire for knowledge and virtue. The darkened mind, the callous heart, the paralytic will, — these are the root evils. Is man a real being, with an element of freedom, responsibility, and permanence in his constitution, or is he but a phantom, a bubble that rises and floats for a moment, and then bursts in the boundless inane, where all things disappear and are no more? This is the radical question, for if the individual wholly ceases to be at death, the race itself is but a parasite of a planet which is slowly perishing; and life's formula is, — from nothing to nothing. But nothingness is inconceivable, for to think is to be conscious of being; something exists; therefore something has always existed. Being is a mental conception; and when we affirm that it is eternal we affirm the eternity of mind, that

mind is involved in the nature of things. It is the consciousness of this that makes it impossible for the soul to accept a mechanical theory of the universe or to rest content with what is material. It is akin to the infinite Spirit, and for man opportunity is opportunity to develop his true self, to grow in wisdom and love. What he yearns for in his deepest heart is not to eat and drink, but to live in ever-increasing conscious communion with the vital truth which is the soul's nourishment, the element in which faith and hope and freedom thrive. The modern mind, having gained a finer insight into the play of the forces of nature, which are ceaselessly being transformed into new modes of existence, seems threatened with loss of the power of perceiving the Eternal. But this enfeeblement and perturbation are temporary, and on our wider knowledge we shall build a nobler and more glorious temple wherein to believe and serve, to love and pray. That man, who lives but a day and is but an atom, should imagine that he partakes of the attributes of the eternal and absolute Being, would seem to be absurd. None the less all that is most real and highest in him impels to this belief. To lose it is to lose faith in the meaning and worth of life; is to abandon the principle that issues in the heroic struggles and sufferings by which freedom, civilization, art, science, and religion have been won and secured as the chief blessings of the race. It is not possible to find true joy except in striving for the infinite, for something we have not yet, which we can never have, here at least. Hence, whatever purpose a man cherish, whatever task he set himself, he finds his work stretching forth endlessly. The more he attains the more clearly he perceives the boundless unattained. His success is ever becoming failure, his riches poverty, his knowledge ignorance, his virtue vice. The higher he rises in power of thought and love, the more what he thinks and loves seems to melt away and disappear in the abysmal depths of the All-perfect Being, who is forever and forever, of whom he is born,

and whom to seek through endless time were a blessed lot. It is the hope of finding Him that lures the soul to unseen worlds, lifts it out of the present, driving it to the past and the future, that it may live with vanished saints and heroes, or with the diviner men who yet shall be.

13. It is only when we walk in the spirit and follow in the footsteps of the Son of God that we come to understand that life is opportunity, rich as earth, wide as heaven, deep as the soul. We weary of everything, — of labor, of rest, of pleasure, of success, of the company of friends, and of our own, but not of the Divine Presence uttering itself in hope and love, in peace and joy. They who live with sensual thoughts and desires soon come to find them a burden and a blight; but the lowly minded and the clean in heart, who are busy with whatsoever things are true and fair and good, feel themselves in a serene world where it is always delightful to be. When we understand that all is from God and for Him, and turn our wills wholly to Him, trouble, doubt, and anxiety die away, and the soul rests in the calm and repose that belong to whatever is eternal. He sees all and is not disturbed. Why should we be filled with apprehension because there are ripples in the little pond where our lifeboat floats?

14. The followers of the Divine Master best know that true men need not great opportunities. He himself met with no occasions which may not be offered to any one. His power and goodness are most manifest amidst the simplest and lowliest surroundings. To beggars, fishermen, and shepherds he speaks words which resound throughout the ages and still awaken in myriad hearts echoes from higher worlds. Whether He walks amid the cornfields, or sits by the well, or from a boat or a hillside speaks to the multitude; whether He confronts the elders who bring Him the guilty woman, or stands before Pilate, or hangs on the cross, He is equally noble, fair, and Godlike. The lesson He teaches by word and deed is that we

should not wait for opportunity, but that the secret of true life and best achievement lies in doing well the thing the Heavenly Father gives us to do. He who throws himself resolutely and with perseverance into a course of worthy action will at last hear the discords of human existence die away into harmonies; for if the voice within whispers that all is well, it is fair weather, however the clouds may lower or the lightning play. What we habitually love and live by, will, in due season, bud, blossom, and bear fruit.

15. Opportunity in the highest sense of the word is opportunity for education, for making ourselves men. This end every occasion should serve, since for this we are born. "We should as far as it is possible," says Aristotle, "make ourselves immortal, and strive to live by that part of ourselves which is more excellent." Now, the testimony of the wise of all ages agrees that a virtuous life is the best and the happiest. Choose and follow it then, though thou find it hard; for custom will make it easy and pleasant. Piety nourishes faith, hope, and love, and therefore sustains life. If thou seekest for what is new and also permanently interesting, live with the old truths, until they strike root in thy being and break into new light and power. The happenings of the day and year are but novelties, but bubbles that burst in the vacant air; that which is forever new is ancient as God. It is that whereby the soul lives. It was with the first man when first he blossomed forth from eternity; it is with thee now and shall be with all men until the end. It is the source whence thy being springs; its roots dip into infinity; its flowers make the universe glad and sweet; it is the power which awakens the soul to the consciousness of its kinship with Him who is all in all, who is life and truth and love, who the more He is sought and loved doth seem to be the more divinely beautiful and good. Learn to live with the thoughts which are symbols of His Eternal Being, and thou shalt come to feel that nothing else is so fresh or fair. As a

sound may suggest light and color, a perfume recall forgotten worlds; as a view, disclosed by a turn in the road, may carry us across years and oceans to scenes and friends long unvisited; as a bee, weaving his winding path from flower to flower, may bring back the laughter of children, the songs of birds, and the visionary clouds fallen asleep in the voluptuous sky of June; so the universe will come to utter for us the voice of the Creator, who is our Father. Nothing touches the soul but leaves its impress, and thus, little by little, we are fashioned into the image of all we have seen and heard, known and meditated; and if we learn to live with all that is fairest and purest and best, the love of it all will in the end become our very life.

SALT

HENRY VAN DYKE

BACCALAUREATE SERMON, HARVARD UNIVERSITY, JUNE, 1898

INTRODUCTION

Henry van Dyke, preacher, author, and educator, was born in Germantown, Pennsylvania, in 1852. He graduated from Princeton University in 1873, from the Princeton Theological Seminary in 1877, and from Berlin University in 1878. From 1878 to 1882 he was pastor of the United Congregational Church of Newport, Rhode Island, and then of the Brick Presbyterian Church, New York, till 1900, when he accepted a professorship of English literature at Princeton.

His works include: *The Reality of Religion* (1884); *The Story of the Psalms* (1887); *The Poetry of Tennyson* (1889, 1895); *The Christ Child in Art* (1894); *Little Rivers* (1895); *The Gospel for an Age of Doubt* (1896); *The Other Wise Man* (1896); *The Builders and Other Poems* (1897); *The Gospel for a World of Sin* (1899); *The Toiling of Felix, and other Poems* (1900); *The Ruling Passion* (1901); and *The Blue Flower* (1902).

Dr. van Dyke combines the highest degree of intellect with the highest felicity of literary expression. No modern writer has been so frequently quoted for his short, pithy proverbs. He is also one of the most successful preachers of to-day. In his pulpit discourses there is marked breadth, but also marked decision and definiteness; the vagueness that often characterizes sermons is wholly absent from his preaching.

As a pulpit orator, Dr. van Dyke enjoys a reputation second to none in America; and an address on "Christianity and Literature," delivered before the Pan-Presbyterian Alliance in Liverpool, England, was declared by the *British Weekly* (London, July 7, 1904)

to have touched "the oratorical high-water mark" of the convention. His oratory, with no effort to produce artificial effects, is characterized by a strong virility, and by a certain moral vivacity and dash which makes it peculiarly effective in college chapels. "His thought is not only strikingly objective in statement, but has in it the resonant quality of a conviction which enlists the imagination and the emotions as well as the intellect. . . . The secret of his power lies in the prime qualities of the man: his courage, loyalty, sincerity in life and art; above all, his tireless pursuit of complete and adequate self-expression."

Ye are the salt of the earth. — MATTHEW v. 13.

1. This figure of speech is plain and pungent. Salt is savory, purifying, preservative. It is one of those superfluities which the great French wit defined as "things that are very necessary." From the very beginning of human history men have set a high value upon it and sought for it in caves and by the seashore. The nation that had a good supply of it was counted rich. A bag of salt, among the barbarous tribes, was worth more than a man. The Jews prized it especially because they lived in a warm climate where food was difficult to keep, and because their religion laid particular emphasis on cleanliness, and because salt was largely used in their sacrifices.

2. Christ chose an image which was familiar when He said to His disciples, "Ye are the salt of the earth." This was His conception of their mission, their influence. They were to cleanse and sweeten the world in which they lived, to keep it from decay, to give a new and more wholesome flavor to human existence. Their character was not to be passive, but active. The sphere of its action was to be this present life. There is no use in saving salt for heaven. It will not be needed there. Its mission is to permeate, season, and purify things on earth.

3. Now, from one point of view, it was an immense compliment for the disciples to be spoken to in this way. Their

Master showed great confidence in them. He set a high value upon them. The historian Livy could find nothing better to express his admiration for the people of ancient Greece than this very phrase. He called them *sal gentium*, "the salt of the nations."

4. But it was not from this point of view that Christ was speaking. He was not paying compliments. He was giving a clear and powerful call to duty. His thought was not that His disciples should congratulate themselves on being better than other men. He wished them to ask themselves whether they actually had in them the purpose and the power to make other men better. Did they intend to exercise a purifying, seasoning, saving influence in the world? Were they going to make their presence felt on earth and felt for good? If not, they would be failures and frauds. The savor would be out of them. They would be like lumps of rock salt which has lain too long in a damp storehouse; good for nothing but to be thrown away and trodden under foot; worth less than common rock or common clay, because it would not even make good roads.

5. Men of privilege without power are waste material. Men of enlightenment without influence are the poorest kind of rubbish. Men of intellectual and moral and religious culture, who are not active forces for good in society, are not worth what it costs to produce and keep them. If they pass for Christians they are guilty of obtaining respect under false pretenses. They were meant to be the salt of the earth. And the first duty of salt is to be salty.

6. This is the subject on which I want to speak to you to-day. The saltiness of salt is the symbol of a noble, powerful, truly religious life.

7. You college students are men of privilege. It costs ten times as much, in labor and care and money, to bring you out where you are to-day as it costs to educate the average man, and a hundred times as much as it costs to raise a boy without

any education. This fact brings you face to face with a question: Are you going to be worth your salt?

8. You have had mental training and plenty of instruction in various branches of learning. You ought to be full of intelligence. You have had moral discipline, and the influences of good example have been steadily brought to bear upon you. You ought to be full of principle. You have had religious advantages and abundant inducements to choose the better part. You ought to be full of faith. What are you going to do with your intelligence, your principle, your faith? It is your duty to make active use of them for the seasoning, the cleansing, the saving of the world. Do not be sponges. Be the salt of the earth.

9. I. Think, first, of the influence for good which men of intelligence may exercise in the world if they will only put their culture to the right use. Half the troubles of mankind come from ignorance — ignorance which is systematically organized with societies for its support and newspapers for its dissemination — ignorance which consists less in not knowing things than in willfully ignoring the things that are already known. There are certain physical diseases which would go out of existence in ten years if people would only remember what has been learned. There are certain political and social plagues which are propagated only in the atmosphere of shallow self-confidence and vulgar thoughtlessness. There is a yellow fever of literature specially adapted and prepared for the spread of shameless curiosity, incorrect information, and complacent idiocy among all classes of the population. Persons who fall under the influence of this pest become so triumphantly ignorant that they cannot distinguish between news and knowledge. They develop a morbid thirst for printed matter, and the more they read the less they learn. They are fit soil for the bacteria of folly and fanaticism.

10. Now the men of thought, of cultivation, of reason in the community ought to be an antidote to these dangerous

influences. Having been instructed in the lessons of history and science and philosophy they are bound to contribute their knowledge to the service of society. As a rule they are willing enough to do this for pay, in the professions of law and medicine and teaching and divinity. What I plead for is the wider, nobler, unpaid service which an educated man renders to society simply by being thoughtful and by helping other men to think.

11. The college men of a country ought to be its most conservative men; that is to say, the men who do most to conserve it. They ought to be the men whom demagogues cannot inflame nor political bosses pervert. They ought to bring wild theories to the test of reason, and withstand rash experiments with obstinate prudence. When it is proposed, for example, to enrich the whole nation by debasing its currency, they should be the men who demand time to think whether real wealth can be created by artificial legislation. And if they succeed in winning time to think, the danger will pass — or rather it will be transformed into some other danger requiring a new application of the salt of intelligence. For the fermenting activity of ignorance is incessant, and perpetual thoughtfulness is the price of social safety.

12. But it is not ignorance alone that works harm in the body of society. Passion is equally dangerous. Take, for instance, a time when war is imminent. How easily and how wildly the passions of men are roused by the mere talk of fighting. How ready they are to plunge into a fierce conflict for an unknown motive, for a base motive, or for no motive at all. Educated men should be the steadiest opponents of war while it is avoidable. But when it becomes inevitable, save at a cost of a failure in duty and a loss of honor, then they should be the most vigorous advocates of carrying it to a swift, triumphant, and noble end. No man ought to be too much educated to love his country and, if need be, to die for it. The culture which leaves

a man without a flag is only one degree less miserable than that which leaves him without a God. To be empty of enthusiams and overflowing with criticisms is not a sign of cultivation, but of enervation. The best learning is that which intensifies a man's patriotism as well as clarifies it. The finest education is that which puts a man in closest touch with his fellow-men. The true intelligence is that which acts, not as cayenne pepper to sting the world, but as salt to cleanse and conserve it.

13. II. Think, in the second place, of the duty which men of moral principle owe to society in regard to the evils which corrupt and degrade it. Of the existence of these evils we need to be reminded again and again, just because we are comparatively clean and decent and upright people. Men who live an orderly life are in great danger of doing nothing else. We wrap our virtue up in little bags of respectability and keep it in the storehouse of a safe reputation. But if it is genuine virtue it is worthy of a better use than that. It is fit, nay it is designed and demanded, to be used as salt, for the purifying of human life.

14. There are multitudes of our fellow-men whose existence is dark, confused, and bitter. Some of them are groaning under the burden of want; partly because of their own idleness or incapacity, no doubt, but partly also because of the rapacity, greed, and injustice of other men. Some of them are tortured in bondage to vice; partly by their own false choice, no doubt, but partly also for want of guidance and good counsel and human sympathy. Every great city contains centers of moral decay which an honest man cannot think of without horror, pity, and dread. The trouble is that many honest folk dislike these emotions so much that they shut their eyes and walk through the world with their heads in the air, breathing a little atmosphere of their own, and congratulating themselves that the world goes very well now. But is it well that the things which

eat the heart out of manhood and womanhood should go on in all our great towns?

Is it well that while we range with science, glorying in the time,
City children soak and blacken soul and sense in city slime?
There, among the glooming alleys, progress halts on palsied feet;
Crime and hunger cast our maidens by the thousand on the street.
There the smoldering fire of fever creeps across the rotted floor,
And the crowded couch of incest, in the warrens of the poor.

Even in what we call respectable society, forces of corruption are at work. Are there no unrighteous practices in business, no false standards in social life, no licensed frauds and falsehoods in politics, no vile and vulgar tendencies in art and literature and journalism, in this sunny and self-complacent modern world of which we are a part? All these things are signs of decay. The question for us as men of salt is: What are we going to do to arrest and counteract these tendencies? It is not enough for us to take a negative position in regard to them. If our influence is to be real, it must be positive. It is not enough to say "Touch not the unclean thing." On the contrary, we must touch it, as salt touches decay to check and overcome it. Good men are not meant to be simply like trees planted by rivers of water, flourishing in their own pride and for their own sake. They ought to be like the eucalyptus trees which have been set out in the marshes of the Campagna, from which a healthful, tonic influence is said to be diffused to countervail the malaria. They ought to be like the tree of paradise, "whose leaves are for the healing of nations."

15. Where good men are in business, lying and cheating and gambling should be more difficult, truth and candor and fair dealing should be easier and more popular, just because of their presence. Where good men are in society, grossness of thought and speech ought to stand rebuked, high ideals and courtliness and chivalrous actions and "the desire of fame and

all that makes a man" ought to seem at once more desirable and more attainable to every one who comes into contact with them.

16. There have been men of this quality in the world. It is recorded of Bernardino of Siena, that when he came into the room, his gentleness and purity were so evident that all that was base and silly in the talk of his companions was abashed and fell into silence. Artists like Fra Angelico have made their pictures like prayers. Warriors like the Chevalier Bayard and Sir Philip Sidney and Henry Havelock and Chinese Gordon have dwelt amid camps and conflicts as Knights of the Holy Ghost. Philosophers like John Locke and George Berkeley, men of science like Newton and Herschel, poets like Wordsworth and Tennyson and Browning, have taught virtue by their lives as well as wisdom by their works. Humanitarians like Howard and Wilberforce and Raikes and Charles Brace have given themselves to noble causes. Every man who will has it in his power to make his life count for something positive in the redemption of society. And this is what every man of moral principle is bound to do if he wants to belong to the salt of the earth.

17. There is a loftier ambition than merely to stand high in the world. It is to stoop down and lift mankind a little higher. There is a nobler character than that which is merely incorruptible. It is the character which acts as an antidote and preventive of corruption. Fearlessly to speak the words which bear witness to righteousness and truth and purity; patiently to do the deeds which strengthen virtue and kindle hope in your fellow-men; generously to lend a hand to those who are trying to climb upward; faithfully to give your support and your personal help to the efforts which are making to elevate and purify the social life of the world, — that is what it means to have salt in your character. And that is the way to make your life interesting and savory and powerful. The men that have been

happiest, and the men that are the best remembered, are the men that have done good.

18. What the world needs to-day is not a new system of ethics. It is simply a larger number of people who will make a steady effort to live up to the system that they have already. There is plenty of room for heroism in the plainest kind of duty. The greatest of all wars has been going on for centuries. It is the ceaseless, glorious conflict against the evil that is in the world. Every warrior who will enter that age-long battle may find a place in the army, and win his spurs, and achieve honor, and obtain favor with the great Captain of the Host, if he will but do his best to make his life purer and finer for every one that lives.

19. It is one of the burning questions of to-day whether university life and training really fit men for taking their share in this supreme conflict. There is no abstract answer; but every college class that graduates is a part of the concrete answer. Therein lies your responsibility, Gentlemen. It lies with you to illustrate the meanness of an education which produces learned shirks and refined skulkers; or to illuminate the perfection of unselfish culture with the light of devotion to humanity. It lies with you to confess that you have not been strong enough to assimilate your privileges; or to prove that you are able to use all that you have learned for the end for which it was intended. I believe the difference in the results depends very much less upon the educational system than it does upon the personal quality of the teachers and the men. Richard Porson was a university man, and he seemed to live chiefly to drink port and read Greek. Thomas Guthrie was a university man, and he proved that he meant what he said in his earnest verse, —

I live for those who love me,
For those who know me true,
For the heaven that bends above me,
And the good that I can do;

For the wrongs that need resistance,
For the cause that lacks assistance,
For the future in the distance,
And the good that I can do.

20. III. It remains only to speak briefly, in the third place, of the part which religion ought to play in the purifying, preserving, and sweetening of society. Hitherto I have spoken to you simply as men of intelligence and men of principle. But the loftiest reach of reason and the strongest inspiration of morality is religious faith. I know there are some thoughtful men, upright men, unselfish and useful men, who say that they have no such faith. But they are very few. And the reason of their rarity is because it is immensely difficult to be unselfish and useful and thoughtful, without a conscious faith in God, and in the divine law, and in the gospel of salvation, and in the future life. I trust that none of you are going to try that desperate experiment. I trust that all of you have religion to guide and sustain you in life's hard and perilous adventure. If you have, I beg you to make sure that it is the right kind of religion. The name makes little difference. The outward form makes little difference. The test of its reality is its power to cleanse life and make it worth living; to save the things that are most precious in our existence from corruption and decay; to lend a new luster to our ideals and to feed our hopes with inextinguishable light; to produce characters which shall fulfill Christ's word and be the salt of the earth.

21. Religion is something which a man cannot invent for himself, nor keep to himself. If it does not show in his conduct it does not exist in his heart. If he has just barely enough of it to save himself alone, it is doubtful whether he has even enough for that. Religion ought to bring out and intensify the flavor of all that is best in manhood, and make it fit, to use Wordsworth's noble phrase,

For human nature's daily food.

Good citizens, honest workmen, cheerful comrades, true friends, gentle men, — that is what the product of religion should be. And the power that produces such men is the great antiseptic of society, to preserve it from decay.

22. Decay begins in discord. It is the loss of balance in an organism. One part of the system gets too much nourishment, another part too little. Morbid processes are established. Tissues break down. In their débris all sorts of malignant growths take root. Ruin follows.

23. Now this is precisely the danger to which the social organism is exposed. From this danger religion is meant to preserve us. Certainly there can be no true Christianity which does not aim at this result. It should be a balancing, compensating, regulating power. It should keep the relations between man and man, between class and class, normal and healthful and mutually beneficent. It should humble the pride of the rich, and moderate the envy of the poor. It should soften and ameliorate the unavoidable inequalities of life, and transform them from causes of jealous hatred into opportunities of loving and generous service. If it fails to do this it is salt without savor, and when a social revolution comes, as the consequence of social corruption, men will cast out the unsalted religion and tread it under foot.

24. Was not this what happened in the French Revolution? What did men care for the religion that had failed to curb sensuality and pride and cruelty under the oppression of the old régime, the religion that had forgotten to deal bread to the hungry, to comfort the afflicted, to break every yoke, and let the oppressed go free? What did they care for the religion that had done little or nothing to make men understand and love and help one another? Nothing. It was the first thing that they threw away in the madness of their revolt and trampled in the mire of their contempt.

25. But was the world much better off without that false kind of religion than with it? Did the Revolution really accomplish

anything for the purification and preservation of society? No, it only turned things upside down, and brought the elements that had been at the bottom to the top. It did not really change the elements, or sweeten life, or arrest the processes of decay. The only thing that can do this is the true kind of religion, which brings men closer to one another by bringing them all nearer to God.

26. Some people say that another revolution is coming in our own age and our own country. It is possible. There are signs of it. There has been a tremendous increase of luxury among the rich in the present generation. There has been a great increase of suffering among the poor in certain sections of our country. It was a startling fact that nearly six millions of people in 1896 cast a vote of practical discontent with the present social and commercial order. It may be that we are on the eve of a great overturning. I do not know. I am not a prophet nor the son of a prophet. But I know that there is one thing that can make a revolution needless, one thing that is infinitely better than any revolution, and that is a real revival of religion — the religion that has already founded the hospital and the asylum and the free school, the religion that has broken the fetters of the slave and lifted womanhood out of bondage and degradation, and put the arm of its protection around the helplessness and innocence of childhood, the religion that proves its faith by its works, and links the preaching of the fatherhood of God to the practice of the brotherhood of man. That religion is true Christianity, with plenty of salt in it which has not lost its savor.

27. I believe that we are even now in the beginning of a renaissance of such religion. I believe that there is a rising tide of desire to find the true meaning of Christ's teaching, to feel the true power of Christ's life, to interpret the true significance of Christ's sacrifice for the redemption of mankind. I believe that never before were there so many young men of

culture, of intelligence, of character, passionately in earnest to find the way of making their religion speak, not in word only, but in power. I call you to-day, my brethren, to take your part, not with the idle, the frivolous, the faithless, the selfish, the gilded youth, but with the earnest, the manly, the devout, the devoted, the golden youth. I summon you to do your share in the renaissance of religion for your own sake, for your fellow-men's sake, for your country's sake. On this fair Sunday, when all around us tells of bright hope and glorious promise, let the vision of our country, with her perils, with her opportunities, with her temptations, with her splendid powers, with her threatening sins, rise before our souls. What needs she more, in this hour, than the cleansing, saving, conserving influence of right religion? What better service could we render her than to set our lives to the tune of these words of Christ, and be indeed the salt of our country, and, through her growing power, of the whole earth? Ah, bright will be the day, and full of glory, when the bells of every church, of every schoolhouse, of every college, of every university, ring with the music of this message, and find their echo in the hearts of the youth of America. That will be the chime of a new age.

Ring in the valiant man and free,
The larger heart, the kindlier hand;
Ring out the darkness of the land,
Ring in the Christ that is to be.

NOTES

CONCILIATION WITH THE AMERICAN COLONIES — BURKE

Bibliography. Prior, *Life of Burke;* John Morley, *Burke,* in the English Men of Letters Series, and in the Encyclopædia Britannica; William Hazlitt, "The Character of Burke," in his *Essays,* pp. 408–426; Boswell, *Life of Johnson* (see Index); Leslie Stephen, *History of English Thought in the Eighteenth Century,* Vol. II; Green, *Short History of the English People;* Buckle, *History of Civilization in England,* Vol. I, pp. 326–338; Fiske, *The American Revolution,* Vol. I, Chaps. I, II. To the article on Burke in the Dictionary of National Biography a valuable bibliography is appended.

Chronology of More Noteworthy Writings and Speeches. 1756 — A Vindication of Natural Society; Essay on the Sublime and Beautiful; Hints on the Drama; An Abridgment of the History of England; and An Account of the European Settlements. 1759 — A thirty-years connection with the Annual Register began. 1766 — Speech on the Repeal of the Stamp Act. 1770 — Thoughts on the Cause of the Present Discontents. 1774 — Speech on American Taxation. 1775 — Speech on Conciliation with the American Colonies. 1777 — Letter to the Sheriffs of Bristol on the Affairs of America. 1785 — Speech on the Nabob of Arcot's Debts. 1788 — The Impeachment of Warren Hastings. 1790 — Reflections on the Revolution in France. 1794 — Letter to a Noble Lord.

In the study of this speech, whatever may be the method of approach by the individual student or teacher, some time, certainly, should be devoted to the argumentative structure. And although a laborious and time-taking process, the best way for the student to get a thorough grasp of the argument as a whole is to write a brief of it. The preferred form of a brief has the following characteristics: Each heading is in the form of a complete sentence and contains but a single argument. The main arguments are stated in a series of propositions which read as reasons for the conclusion to be reached, or the main proposition. Then under each proposition of the first rank are such subheadings as support such proposition. These subheadings may themselves be supported by sub-subheadings, and so on. Every subhead must always read as a reason for the heading under which it stands. All subheadings of the same rank should be regularly indented, so that the reader may see at a glance the place of any heading in the argument.

Below is a skeleton brief of the speech as a whole (a few minor arguments being omitted). The main arguments — the propositions of first rank — are given, but most of the arguments in support of the

main propositions are left for the student to discover and insert. Bear in mind that each heading should be stated in the form of a complete sentence. Use Burke's own words, wherever practicable. In many of the paragraphs will be found a key-sentence which contains the gist of the whole paragraph; in all such cases, simply copy such key-sentences for the required heading. The arabic numerals in parentheses are paragraph-references.

INTRODUCTION

I. By the return of the Grand Penal Bill from the House of Lords, we are now in a position to determine *de novo* upon a definite policy regarding the American colonies. (1)
II. Having studied the subject, I have arrived at certain fixed conclusions. (2, 3)
III. My attitude toward America has not changed, while Parliament has pursued a policy of shifting experiments. (4)
IV. The policy that I desire to urge must stand or fall solely on its merits. (5)
V. My proposition is to remove the grounds of difference between England and the colonies and thereby establish permanent peace. (6, 7)
VI. My plan has certain presumptions in its favor, because
  A. By accepting Lord North's plan, the House has conceded that the idea of conciliation is admissible. (8)
  B. The House has declared conciliation admissible previous to any submission on the part of America. (9)
  C. The House has admitted that the colonists' complaints regarding taxation were not unfounded. (9)
VII. The proposal of conciliation should come from us (10), for,
  A. England is the superior power. (10)
  B. The concessions of the weak are the concessions of fear. (10)
VIII. The two main issues are: First, Ought you to concede? Second, What ought your concession to be? (11)

ARGUMENT

I. Circumstances in the American colonies demand conciliation (11), for
  A. (12, 13) — [*Put the gist of paragraphs 12 and 13 in a single sentence, making it read as a reason for the above proposition. Follow this same plan in filling out all the succeeding blank headings.*]
  B. (14–25)
  C. (26)
  D. (27)
II. The temper and character of the Americans demand conciliation (28), for,
  A. (29), for,
    1. (30)
    2. (31)

B. (32)
C. (33)

III. Our experiments in governing the colonists have proved unsuccessful (34, 35), for,
A. (35)
B. (35)
C. (36)

IV. Of the three proposed plans (37) for governing the colonies, we must adopt that of conciliation, for,
A. (38), for,
1. (39), for,
a. (39)
b. (40)
2. (42)
3. (44)
4. (45)
B. (46), for,
1. (47)
2. (48)
3. (49)
C. (51)

V. The measures for conciliation should satisfy the colonists' complaint regarding taxation, for,
A. (52)
B. (53)
C. (54)

VI. The argument that the grievance of taxation extends to all legislation, and that by conceding this grievance the supremacy of Parliament would be threatened, cannot stand (58), for,
A. (59)
B. (60)
C. (61)
D. (62)

VII. My plan for conciliating the colonies is better than Lord North's (63), for,
A. (64)
B. (65), for,
1. (65)
C. (66), for,
1. (66)
D. (67), for,
1. (67)
2. (68)
3. (69)
4. (70)
5. (71), for,
a. (71)
E. (72)
F. (73)
G. (76)

CONCLUSION

I. The American colonists must be governed, not by arbitrary laws, but by their interest in the British Constitution. (77)
II. Magnanimity in dealing with the colonies is the truest wisdom. (79)
III. English privileges have made America what it is; English privileges alone will make it all it can be. (79)

11 1 **austerity of the Chair**: the dignity and impartiality of the speaker. Hazlitt says that "most of Burke's speeches have a sort of parliamentary preamble; there is an air of affected modesty and ostentatious trifling in them." Does the criticism apply to this speech? — 8 **grand penal bill**: this bill, which originated with Lord North, was passed by the House of Commons in 1775. It restricted the trade of the New England colonies to England and her dependencies, and practically prohibited those colonies from the use of the Newfoundland fisheries. The Lords returned the bill with a savage amendment making it apply to *all* the American colonies. The amendment was afterwards withdrawn.

12 19 **At that period**: the repeal of the Stamp Act, in 1766. The vote stood 275 for repeal to 161 against. Burke made a strong speech in favor of the repeal, he having entered Parliament the previous year. — 34 **continual agitation**: for a period of nearly one hundred years the affairs of the colonies had been intrusted to a standing committee called "The Lords of Trade." To them the colonial governors, who were appointed by the king, gave full accounts of the proceedings of the colonial legislatures. These reports, often colored by personal prejudice, did not always represent the colonies in the best light. It was mainly through the influence of one of the former Lords of Trade, Charles Townshend, who afterwards became the leading voice in the Pitt ministry, that the Stamp Act was passed. — **Everything administered as remedy**: the Tea-tax, Boston Port Bill, Massachusetts Colony Bill, Transportation Act, and Quebec Act. Note the "shifting experiments" argument in the word-expression throughout this paragraph.

14 1 **unsuspecting confidence**: a term used by the Philadelphia Congress in 1774 to express the state of feeling in the colonies after the repeal of the Stamp Act. — 17 **the project**: (not to be confused with the "grand penal bill") is referred to in the Introduction to this speech. On February 27, 1775, the House passed resolutions brought in by Lord North, entitled "Propositions for Conciliating the Differences with America," which provided that any colony which voluntarily contributed its proportionate share for the common defense and support

of the English government, and in addition made provision for the support of its local government, should be exempt from taxation, except such as was necessary for the regulation of commerce. It has been declared by some that the measure was meant in good faith. Burke argued that the intention was to cause dissension and division among the colonies. (See **47** 20–24.) — 18 **the noble lord in the blue ribbon**: Frederick North, Prime Minister from 1770 till 1782, and largely responsible for the separation of the colonies from England. A broad, dark blue ribbon worn across the breast is the badge of the famous Order of the Garter, a decoration rarely conferred upon commoners, and therefore often mentioned by Burke in speaking of Lord North. — 20 **colony agents**: the colonies, not having direct representation in Parliament, engaged agents to watch their interests there. Burke himself was such an agent for New York for a short time. — **mace**: the symbol of the authority of the House of Commons. When the ordinary call for order is ineffective to quell disturbance, the sergeant-at-arms, at the speaker's direction, takes up the mace and confronts the disorderly members. There is in the speaker's power but one last resource more dreaded, and that is to "name" the disorderly member. — 31 **menacing front of our address**: on February 9, 1775, Parliament had presented an address to the king declaring that no part of his authority over the colonies should be relinquished. The immediate cause of this address was the Boston Tea Party.

16 15 **lay before you**: transition to the next main division of the speech, — the Statement of Facts.

17 9 **minima**: trifles. *De minimis non curat lex*, the law takes no account of trifles. — 25 **person at your bar**: this was a Mr. Glover, esteemed a poet in his day, who presented a petition from the West India planters, praying that peace might be made with the American colonies. The "bar" is a movable rail in the main aisle, beyond which none but officers and members are allowed to pass. All other persons, if permitted to address the House, must do so standing outside this barrier.

18 21 **African**: the slave trade, principally. The exports from England to Africa consisted almost wholly of articles used in barter for slaves, who were shipped thence to the colonies; hence rightly regarded by Burke as a branch of England's export trade to the colonies.

20 16 **Lord Bathurst**: born 1684; took his seat in Parliament in 1705; died September, 1775. His name has become a synonym for longevity. The argumentative value of Burke's *excursus* at this point, and especially its adaptability to the needs of a business speaker in a deliberative body, may be questioned, but the attempt is carried out with

characteristic opulence and splendor. — 18 **acta parentum**, etc.: to read about the deeds of his forefathers, and able to comprehend what virtue is. Adapted from Virgil, *Eclogues*, IV, 26.

22 18 **Roman charity**: according to an old Roman story, a father condemned to die by starvation is visited in prison by his daughter, who secretly nourishes him from her own breasts.

26 12–18 **I have been told . . . I hear . . . General Gage**: note the relative value of the authorities cited. — 21 **successful chicane**: "Boston held a town-meeting. Gage reminded the selectmen of the act of Parliament restricting town-meetings without the governor's leave. 'It is only an adjourned one,' said the selectmen. 'By such means,' said Gage, 'you may keep your meeting alive these ten years.' He brought the subject before the new council. 'It is a point of law,' said they, 'and should be referred to the Crown lawyers.'" (Bancroft, IV, 49.) — 26 **learned friend on the floor**: Thurlow, the attorney-general, who as a member of the cabinet was sitting on the lowest tier of benches. — 33 **Abeunt studia in mores**: studies become a part of character. (Ovid, *Heroides*, XV, 83.)

30 5 **abrogated the ancient government of Massachusetts**: by a law passed May 10, 1774, which vested in the Crown the selection of the council, or higher branch of the legislature, prohibited public meetings without the king's consent, and gave to the royal governor power to appoint and remove all judges. The law was practically ignored.

31 7 **three ways of proceeding**: here is begun an argument by exclusion, or the Method of Residues. (See **37** 23.) — 14 **giving up the colonies**: this was seriously proposed and ably defended by Dr. Tucker, Dean of Gloucester, on the ground that England would have the trade of the colonies whether she owned them or not, if she offered them the best markets. In the light of subsequent history, Tucker's argument, as Goldwin Smith points out, deserved more serious consideration than Burke accorded it.

34 28 **If then, Sir**, etc.: note here, and throughout the speech, how the summary, and the transition to the next line of argument, aid in following the argument as a whole.

35 16 **Sir Edward Coke**: attorney-general in 1603, when Raleigh was tried for treason, who assailed the defendant in most unjust and brutal terms: "Thou hast an English face, but a Spanish heart, and thyself art a spider of hell!"

36 3 **ex vi termini**: from the force of the term.

38 25 **Serbonian bog**, etc.: *Paradise Lost*, II, 592–594.

40 2 **grant**: voluntary contribution of the colonies. — **imposition**: a tax imposed by Parliament. — 14 **temple of British concord**: an allusion to the Temple of Concord at Rome.

44 17 **Experimentum in corpore vili**: experiments should be tried on objects of no value.

47 9 **Treasury Extent**: a summary process to recover debts due the Crown, differing from an ordinary writ of execution in that under it the body, lands, and goods of a debtor may all be seized at once. — 33 **Compare the two**: note the convincing force of balancing the two plans, (paragraph 72), by way of summary.

48 31 **Posita luditur arca**: the treasure-chest is staked on the game.

50 28 **For that service**: begins the peroration, which, with its combined summary and appeal, its strength and passion, is in Burke's best style, and has long been admired as a classic model.

This speech shared the fate of most of Burke's efforts. It commanded universal admiration, but was ineffective in bringing about what he desired. At the conclusion of the speech, the previous question (which in English parliamentary practice is a back-handed method of tabling) was moved, and the resolutions were lost by a vote of 270 to 78.

The speech was ineffective in Parliament for three main reasons: (1) the inability of the king and the king's advisers, who based their policy on the reports of the colonial governors, to understand the colonists; (2) the obstinacy, and also the political motives, of George III, who was impatient of any opposition to the royal prerogative, and wished to strengthen the monarchical power; and (3) Parliament was not a truly representative body. Out of 8,000,000 people, only 160,000 voted at elections. Besides there were many "rotten boroughs," the members from which gained their seats through corruption.

Although the battle of Lexington was fought within a month after the delivery of this speech, how history might have differed had England, even at the eleventh hour, followed Burke's counsels! Says Morley: "The war of Independence was virtually a second English civil war. The ruin of the American cause would have been also the ruin of the constitutional cause in England; and a patriotic Englishman may revere the memory of Patrick Henry and George Washington not less justly than the patriotic American. Burke's attitude in this great contest is that part of his history about the majestic and noble wisdom of which there can be least dispute."

THE MURDER OF CAPTAIN JOSEPH WHITE — WEBSTER

Bibliography. There are many "Lives" of Webster, that of George Ticknor Curtis (1870) being standard. Other biographies that may be mentioned are: Lodge, in American Statesman Series (1883); Scudder (1882); and McMaster (1902). Harvey's *Reminiscences of Daniel Webster* is a most readable book. Webster's works have been issued in

six volumes, with a memoir by Edward Everett. A later edition (1903), in sixteen volumes, includes many early addresses and legal arguments hitherto unpublished. For the general reader the most usable edition of his speeches is a single volume — *Webster's Great Speeches* — with an introductory essay by Edwin Whipple on "Daniel Webster as a Master of English Style." Various magazine articles, on special topics, will be found listed in Poole's Index.

Chronology of Principal Speeches. 1818 — The Dartmouth College Case. 1820 — Plymouth Oration. 1824 — The Revolution in Greece; Argument in the case of Gibbons vs. Ogden. 1825 — First Bunker Hill Oration. 1826 — Oration on Adams and Jefferson. 1827 — Argument in the case of Ogden vs. Saunders. 1830 — Reply to Hayne; Jury Address in the White Murder Case. 1832 — Oration on Washington. 1833 — The Constitution not a Compact between Sovereign States. 1843 — Oration on the Pilgrims; Second Bunker Hill Oration. 1848 — Exclusion of Slavery from the Territories; Eulogy of Jeremiah Mason. 1849 — Eulogy of Kossuth. 1850 — The Constitution and the Union (the "Seventh of March" Speech).

A cursory reading of this address will at once reveal its coherency and logical sequence. The argument proper is based on two main propositions: (1) The murder was in pursuance of a conspiracy, and the prisoner was one of the conspirators (paragraph 20); (2) the prisoner was present at the murder, aiding and abetting therein (paragraph 51), and is therefore guilty as a principal. In support of these two propositions, the circumstantial and direct evidence is reviewed in detail, the inferences therefrom are deduced from time to time, followed by a general summary at the close (paragraph 123), the speech being concluded with a brief, strong appeal (paragraphs 124, 125). Let the student, if time permits, make a brief of the speech, following the form given in the notes on Burke.

67 10 **Moloch**: the chief god of the Phœnicians, frequently mentioned in Scripture as the god of the Ammonites, whose worship consisted chiefly of human sacrifices. See Jeremiah xxxii. 35; 2 Kings xvii. 31; *Paradise Lost*, I, 392–398. By extension, the word means any baneful influence to which everything is sacrificed; as, the guillotine was the *Moloch* of the French Revolution. — 19 **spread out the whole scene before us**: Webster gets many of these details from Joseph Knapp's previous confession. What is gained by thus detailing the horrors of the crime? Mr. Lodge says that "Webster's description of the White murder, and of the ghastly haunting sense of guilt which pursued the assassin, has never been surpassed in dramatic force by any speaker, whether in debate or before a jury."

71 18 **"Goodridge robbery"**: Webster was the principal "counsel for the prisoner" in this case, and succeeded in unraveling a complicated set of facts, demonstrating that the accuser, one Goodridge, was himself the guilty party.

73 5 **the late Chief Justice**: Judge Parker of the Supreme Court. A special session of this court was ordered by the legislature for the trial of the prisoners at Salem, in July. At that time Frank Knapp was indicted as principal in the murder, and George Crowninshield and Joseph Knapp as accessories. On account of the death of the Chief Justice on July 26 the court adjourned to August 3, when it proceeded in the trial of Frank Knapp. Hence it will be seen how Webster's allusion to Judge Parker added force to the refutation at this point.

77 23 **The letter from Palmer. . . . The fabricated letters from Knapp**: see **86** 13 to **88** 13 inclusive.

90 2 **He was there**: this accords with the confession of Joseph Knapp. See note following.

94 1 **His being there is a proof**, etc.: the presence of Frank Knapp in Brown Street for the purpose of aiding and abetting the assassin — and even his presence there at the time the murder was committed — seems to have been the weak part of Webster's case. The motive of curiosity, which Webster calls "absurd," was, if Joseph Knapp's confession is to be credited, the true explanation. He said that Crowninshield and Frank Knapp met about ten o'clock in the evening, in Brown Street, and stood some time in a spot from which they could observe the movements in the house; that Crowninshield, when he started to commit the murder, requested Frank to go home; that Frank did go home, retired to bed, but soon after arose and secretly left his father's house; and that when Crowninshield came from Mr. White's house he met Frank in Brown Street, waiting to learn the event.

100 15 **made more impression on the minds of the court than on my own mind**: this suggests an oft-told incident in the celebrated Smith Will trial, when the opposing counsel, Mr. Choate, quoted a decision of Lord Chancellor Camden. In his reply Webster argued against its validity as though it were a proposition laid down by Mr. Choate. "But it is not mine, it is Lord Camden's," was the instant retort. Webster paused for half a minute, and then, with his eye fixed on the presiding judge, he replied, "Lord Camden was a great judge, . . . but, may it please your honor, *I* differ from my Lord Camden." "There was hardly a lawyer in the United States who could have made such a statement without exposing himself to ridicule, but it did not seem at all ridiculous when the *I* stood for Daniel Webster."

103 29 **Another Lear**, etc.: Webster's handling of the father's testimony is worthy of note. The masterful advocate learns to avoid bristling at all opposing testimony.

107 32 **a Hale or a Mansfield**: Sir Matthew Hale (1609–1676), a celebrated English jurist; William Murray, Earl of Mansfield, Chief Justice of the King's Bench, 1756–1788, who has been called "the founder of English commercial law."

110 27 **rope-walk**: a long covered walk.

116 10 **putting these considerations together**: note the general summary of the argument up to this point.

118 10 **The general rule of law**: at common law confessions made to clergymen or physicians, in their professional capacity, were not "privileged communications," and hence were admissible as evidence. In some of the states such communications are privileged by statute.

127 30 **do your duty**, etc.: though worn threadbare in declamation service, this eloquent peroration may well be carefully studied for those merits alluded to in the Introduction. The simplicity of diction is not more notable than the self-restraint and poise. There is no violent denunciation of the prisoner, no effort to confuse or mislead, or to sway the decision by unwholesome pathos. "It is for the jury to say under their oaths" is an ever-recurring phrase in all of Webster's jury addresses. The result was that he appeared not so much as the mere partisan advocate bearing down upon the jurymen with his argument, but rather as a "thirteenth juryman," who continued to argue the case with them after they had retired for consultation among themselves.

A HOUSE DIVIDED AGAINST ITSELF CANNOT STAND — LINCOLN

Bibliography. The standard work on Lincoln and his times is that of Nicolay and Hay, in ten volumes, — *Abraham Lincoln: A History.* Other biographies have been written by Herndon and Weik, Lamon, Ida M. Tarbell, Noah Brooks, Arnold, Raymond, Hapgood, Morse (in American Statesman Series), and W. E. Curtis, respectively. The Century Company publish the complete works of Lincoln. Other helpful authorities are: Grant, *Memoirs;* Greeley, *The American Conflict;* A. H. Stephens, *History of the War between the States;* and Blaine, *Twenty Years of Congress.* Mr. A. S. Boyd has a full bibliography in the "Lincoln Memorial" volume.

Chronology of Principal Speeches and Papers. 1832 — Address to the People of Sangamon County. 1837 — The Perpetuation of our Political Institutions: An Address before the Young Men's Lyceum of Springfield, Illinois. 1852 — Eulogy of Henry Clay. 1854 — Origin of the Wilmot Proviso. 1857 — Discussion of the Dred Scott case. 1858 — The "Divided House" Speech; and the seven joint Debates with Douglas. 1859 — Speeches at Columbus and Cincinnati. 1860 — Cooper

Institute Speech. 1861 — First Inaugural Address. 1863 — Proclamation of Emancipation and the Gettysburg Address.

(In the following notes no attempt is made to explain many of the historical allusions. Such topics as the Nebraska Bill, the Dred Scott case, etc., may be reviewed, when necessary, in any standard American history.)

First note the argumentative structure of this speech as a whole, its organization and orderly development. The argument is largely inductive, — the conclusions not being stated until after adducing the proof to sustain them. Let the student make a brief of the speech, putting the conclusions first, that is, in deductive form.

133 2 If we could first know where we are, etc.: compare with Webster's opening in his Reply to Hayne. — 11 **half slave and half free**: the same idea found expression in the *Richmond Enquirer*, May 6, 1856, quoted by Von Holst, VI, 299, also referred to by Lincoln. On October 25, 1858, Seward made the speech at Rochester, New York, which contained the famous sentence: "It is an irrepressible conflict between opposing and enduring forces, and it means that the United States must and will, sooner or later, become either entirely a slave-holding nation or entirely a free-labor nation."

134 8 Congressional prohibition: the Missouri Compromise. — 31 **"let us amend the bill"**: the amendment was offered by Senator Salmon P. Chase. This question continued to be a bone of contention in the Lincoln-Douglas debates. In his speech at Ottawa, August 21, 1858, Douglas replied to Lincoln on this point as follows: "Chase offered a proviso that they might abolish slavery, which by implication would convey the idea that they could prohibit by not introducing that institution. General Cass asked him to modify his amendment so as to provide that the people might either prohibit or introduce slavery, and thus make it fair and equal. Chase refused to so modify his proviso, and then General Cass and all the rest of us voted it down."

135 24 The outgoing President: Franklin Pierce. — 33 **The reputed author of the Nebraska bill**: in the first joint debate at Ottawa, Douglas says that he introduced the bill.

136 2 the Silliman letter: a letter addressed to President Buchanan by the "electors of the State of Connecticut" in regard to the situation in Kansas. In reply, the President made the following reference to the Dred Scott case: "Slavery existed at that period [when Kansas was organized as a territory] and still exists in Kansas, under the Constitution of the United States. This point has at last been finally decided by the highest tribunal known to our laws. How it could ever have been seriously doubted is a mystery." — 8 **Lecompton Constitution**: formed

by the proslavery men of Kansas in 1857, the antislavery men having withdrawn from the Convention because of alleged frauds in the selection of delegates by the opposition. Douglas believed that there was not a "fair vote," and so opposed the adoption of the Constitution by Congress. For this stand he seems to have deserved more credit than Lincoln here gives him.

138 10 **the niche for the Dred Scott decision**: "It was popularly believed that the whole case was made up in order to afford an opportunity for the political opinions delivered by the Court. This was an extreme view not justified by the facts. But in the judgment of many conservative men there was a delay in rendering the decision which had its origin in motives that should not have influenced a judicial tribunal. . . . Mr. Buchanan imprudently announced in his Inaugural Address that 'the point of time when the people of a Territory can decide the question of slavery for themselves will be speedily and finally settled by the Supreme Court.'" (Blaine *Twenty Years of Congress*, I, 132.) — 34 **Stephen and Franklin and Roger and James**: Senator Stephen A. Douglas, ex-President Franklin Pierce, Chief-Justice Roger B. Taney, and President James Buchanan.

139 21 **McLean . . . Curtis**: Associate Justices of the Supreme Court who dissented from the majority opinion. — 29 **Nelson**: another Associate Justice, who concurred with the majority on the main issues, but made a separate statement of some points.

140 27 **quarrel**: see **136** 8, note. Douglas's stand in opposing the Lecompton Constitution led many of the more conservative Republicans, notably Horace Greeley and Schuyler Colfax, openly or secretly to favor his election over Lincoln. — 31 **"A living dog,"** etc.: Ecclesiastes ix. 4.

THE SCHOLAR IN A REPUBLIC — PHILLIPS

Bibliography. Two biographies of Phillips have appeared, neither of them final books: Austin's *Life and Times of Wendell Phillips*, and Martyn's *Wendell Phillips, the Agitator* (American Reformer Series). His *Lectures and Addresses* have been published in two volumes. An excellent article on Phillips will be found in the *Nation*, XXXVIII, 116, and other articles will be found cited in Poole's Index.

Chronology of Principal Speeches and Orations. 1837 — Speech on the Murder of Lovejoy. 1838–1839 — The Lost Arts. 1840 — Cotton, the Corner Stone of Slavery. 1851 — Woman's Rights; Eulogy of Kossuth. 1852 — Public Opinion. 1853 — Philosophy of the Abolition Movement. 1855 — The Boston Mob; Capital Punishment. 1859 — Lecture on Idols; Harper's Ferry; the Puritan Principle and John Brown; The

Education of the People. 1860 — Lincoln's Election; Mobs and Education; The Pulpit. 1861 — Disunion; Progress; Under the Flag; The War for the Union; Toussaint L'Ouverture; Suffrage for Woman. 1863 — The State of the Country. 1865 — The Maine Liquor Law; The Assassination of Lincoln. 1869 — Christianity a Battle, not a Dream. 1871 — The Foundation of the Labor Movement. 1872 — The Labor Question. 1875 — Eulogy of Daniel O'Connell. 1879 — Eulogy of William Lloyd Garrison. 1881 — The Scholar in a Republic.

159 1 **ΦBK** (Phi Beta Kappa): a literary society established in several American colleges, to which students of high scholarship are admitted. It was founded as a literary and debating society at William and Mary College, Virginia, in 1776. Its original purpose was the encouragement of patriotism and scholarship. The Harvard Chapter has enjoyed a particularly successful career, Phi Beta Kappa Day being the greatest public literary day of the college year.

160 8 **Roger Williams** (1600–1684): the founder of Rhode Island, and apostle of religious toleration in New England. — **Sir Harry Vane** (1612–1662): an English Puritan, statesman, and patriot. Governor of Massachusetts Bay Colony in 1636, failing of reëlection on account of siding with Anne Hutchinson. — 21 **Fénelon** (1651–1715): a celebrated French prelate, author, and orator. — 22 **Somers** (1652–1716): an English statesman and jurist. — **John Marshall** (1755–1835): Chief Justice of the United States Supreme Court, 1801–1835. — **Carnot** (1801–1888): a French politician and publicist.

161 8 **Charles Chauncey** (1592–1672): the second president of Harvard College. As a preacher in England, he came into frequent conflict with the ecclesiastical authorities on account of his liberal views. — **Brattle Street Church protest**: a manifesto issued in 1699 by the founders of this church in Boston, declaring in favor of a more liberal creed than the Congregational organization had previously adopted.

162 29 **One such journal nightmares New England annals**: nightmare as a verb is unusual. The journal referred to is probably that of John Winthrop, governor of Massachusetts Bay Colony. It was published by James Savage as a *History of New England, 1630–1649*.

165 8 **Wycliffe** (1324–1384): a celebrated English religious reformer, called "the morning star of the Reformation."

166 20 **Lord Brougham** (1778–1868): an English lawyer, statesman, and reformer. — 21 **Romilly** (1757–1818): an English lawyer and philanthropist, famous from his labors for the reform of the criminal law.

167 18 **Selden** (1584–1654): an eminent English jurist and author. — 33 **Melanchthon** (1497–1560): a German reformer, famous as the collaborator of Luther.

168 2 **Erasmus** (1465–1536): a famous Dutch theologian and classical scholar. He aimed to reform without dismembering the Roman Catholic Church, and at first favored, but subsequently opposed, the Reformation. — 5 **college-graduate . . . against Lincoln**: see **198** 8–13. Compare Curtis's oration on "The Leadership of Educated Men." In this oration Curtis said: "A year ago I sat with my brethren of the Phi Beta Kappa at Cambridge, and seemed to catch echoes of Edmund Burke's resounding impeachment of Warren Hastings in the sparkling denunciation of the timidity of American scholarship. . . . But the scholarly audience of the scholarly orator, with an exquisite sense of relief, felt every count of his stinging indictment recoil upon himself." (*Orations and Addresses*, I, 320.) — 21 **Professor Peirce**: both he and his father have held the chair of Mathematics and Astronomy at Harvard. — 28 **Scire ubi aliquid**, etc.: a large part of education is to know where you may find anything. Note the thought-echo from the preceding paragraph.

169 18 **Niebuhr** (1776–1831): a celebrated German historian, philologist, and critic. His principal work was his *Roman History*, in three volumes.

173 18 **triple crown** (or tiara): worn by the pope as a symbol of his threefold sovereignty. — 25 **Crédit Mobilier**: a corporation chartered in Pennsylvania in 1863, named after a banking corporation in France. It developed into a company for building the Union Pacific Railroad. In 1872 it was found that certain congressmen secretly possessed stock in the company. — 28 **The railway king**: William K. Vanderbilt.

176 2 **Sir Robert Peel** (1788–1850): a noted English statesman, for some time Prime Minister. He first opposed, and later favored, Catholic emancipation and the repeal of the Corn Laws. — 12 **Disraeli**: Earl of Beaconsfield (1804–1881): an English statesman and novelist; for some time Prime Minister. — 18 **Wilberforce** (1759–1833): an English philanthropist, statesman, and orator; famous as an opponent of the slave trade. — **Clarkson** (1760–1846): an English abolitionist. — 19 **Rowland Hill** (1744–1833): an English preacher and dissenter.

178 7 **Rantoul** (1805–1852): an American politician, lawyer, and reformer; an opponent of slavery. In his lecture on "Idols," Phillips pays him an eloquent tribute (*First Series*, 254). — 8 **Beccaria** (Bek-kä-ré-a) (1738–1794): an Italian economist, jurist, and philanthropist. One of the earliest opponents of the death penalty. — **Livingston**: the reference is probably to Edward Livingston (1764–1836), an American jurist and statesman, who prepared a code of criminal law and procedure. — **Mackintosh** (1765–1832): a Scottish philosopher and lawyer. — 10 **single exception**: Horace Mann is probably meant.

180 26 **Crillon** (1541–1615): a celebrated French general, also called "*L'Homme sans peur*," — the fearless.

182 15 **righteous and honorable resistance**: of Phillips's plea for nihilism Colonel Higginson writes: "Many a respectable lawyer or divine felt his blood run cold the next day when he found that the fascinating orator whom he applauded to the echo had really made the assassination of an emperor seem as trivial as the doom of a mosquito." Recent developments in Russia, however, lend new interest to Phillips's point of view.

183 14 **Lieber** (1800–1872): a German-American publicist.

184 10 **Macchiavelli** (1469–1527): a celebrated Italian statesman and author. — 13 **Faneuil Hall** (fun'ĕl or fan'ĭl): a market-house in Boston, containing a hall for public assemblies. It was built in 1743 by Peter Faneuil, an American merchant. It was the meeting place of American patriots in the Revolutionary period, and is therefore called "The Cradle of Liberty." — 33 **Pecksniff**: a notorious hypocrite in Dickens's *Martin Chuzzlewit*.

185 24 **Beckford** (1759–1844): an English man of letters, connoisseur, and collector; best known as the author of *Vathek*, an Eastern romance.

186 18 **Richter**, "Jean Paul" (1763–1825): a celebrated German humorist.

THE PUBLIC DUTY OF EDUCATED MEN — CURTIS

Bibliography. Curtis's orations, lectures, and speeches have been published in three volumes, — *Orations and Addresses*. Edward Cary, in the American Men of Letters Series, treats of his career in a somewhat rambling fashion. An address by Parke Godwin, contained in his *Commemorative Addresses*, is the tribute of a life-long friend. An appreciative article entitled "George William Curtis: Friend of the Republic," by Carl Schurz, appeared in *McClure's Magazine* for October, 1904, and various articles on Curtis will be found in magazines soon after the date of his death; see Poole's Index.

Chronology of More Notable Orations and Lectures. 1856 — The Duty of the American Scholar to Politics and the Times. 1859 — The Present Aspects of the Slavery Question. 1862 — The American Doctrine of Liberty. 1865–1866 — The Good Fight (a lecture). 1869 — Civil Service Reform. 1870 — Fair Play for Women. 1874 — Eulogy of Charles Sumner. 1875 — Oration at the Centennial Celebration of Concord Fight. 1877 — The Public Duty of Educated Men. 1880 — Eulogy of Robert Burns. 1882 — The Leadership of Educated Men. 1884 — Eulogy of Wendell Phillips. 1885 — The Puritan Spirit. 1888 — The Reason and the Result of Civil Service Reform. 1890 — The Higher Education of Women. 1892 — Eulogy of James Russell Lowell.

This oration is so clear and simple in its plan and development that the student may easily and profitably write an outline of it, employing the usual threefold division of Introduction, Discussion, Conclusion. On analysis, it will be found that the thought as a whole revolves around two main propositions: (1) An active interest and practical participation in politics is the duty of educated men; (2) in the performance of this duty, party loyalty should be made subservient to conscience and patriotism. Having narrowed his general subject to a more definite one, Curtis develops his theme by a varied repetition and reënforcement of the two foregoing propositions. He does not deal in "glittering generalities," but in clear, plain specifications. He evidently did not consider that a scholarly address is measured by the number of ideas suggested, but rather by one or two central ideas lodged in the minds of the hearers. The logical development of the theme, the natural and easy transitions, the paragraph and sentence structure, the pure and forceful diction, and the distinctively oratorical qualities of recapitulation, direct address, figures of speech, and climaxes, — will of course be seen and appreciated more fully than could be pointed out in these notes.

192 2 **the music of these younger voices**: what characteristic of a good Introduction? Point out other instances in the first two paragraphs.

194 11 **venerated teacher**: Dr. Tayler Lewis, for thirty-eight years Professor of Greek at Union College. He died a short time prior to the delivery of this oration. The "clear voice of patriotic warning" refers to his work, *States Rights a Photograph of the Ruins of Ancient Greece*, published in 1864.

195 3 **By the words "public duty,"** etc.: note the method of reaching a definition, — negation and antithesis, linked to the theme of the discourse as a whole.

196 4 **Jeremy Diddler**: a character in Kenney's farce, *Raising the Wind*. He is a clever vagabond and artful swindler. — **Dick Turpin**: a notorious English highwayman, executed in 1739. — 9 **Jonathan Wild**: an English robber and receiver of stolen goods, hanged in 1725. The allusion is to William M. Tweed who, as head of the "Tweed Ring," robbed New York City of millions of dollars. He was arrested in 1871, tried, and convicted. He died in Ludlow Street jail in 1878.

197 27 **Agamemnon**: in Greek legendary history, the king of Mycenæ, the most powerful ruler in Greece. Homer calls him "the king of men."

198 26 **Faneuil Hall**: see **184** 13, note.

201 3, 7 **a rat and a renegade . . . a popinjay and a visionary fool**: what power over words is shown in these expressions? — 33 **Golden Age**: this same idea is amplified in the Concord oration.

202 7 **Jacobins**: a society of French revolutionists organized in 1789, and so-called from the Jacobin convent in Paris, in which they met

The violent members, led by Robespierre and Marat, eventually gained control, and the club supported them in measures that led to the Reign of Terror. — 24 **Castor and Pollux**: in Greek and Roman mythology, twin brothers who were placed in the heavens as a constellation called the Gemini, or Twins.

203 30 **The ordeal of last winter**: the contested presidential election of 1876, when Hayes was finally declared elected by a Commission created by an act of Congress. The gravity of the situation is not exaggerated by Curtis. On December 22, 1876, he made a speech on "The Puritan Principle: Liberty under the Law," at the annual dinner of the New England Society, New York, advocating a non-partisan settlement of the dispute. In this speech, says Edward Everett Hale, who was present, "Curtis spoke the word which was most needed to save the country from terrible calamity."

205 13 **Captain Kidd**: a notorious pirate who was hanged in London in 1701. — 21 **nasty**: what is gained by the repetition of this word?

207 22 **every sign encourages and inspires**: why is a forward-looking Conclusion appropriate?

208 10 **Such was the folly**, etc.: note how the antithesis is maintained.

209 13 **Bolingbroke** (1678–1751): an English statesman and political writer. He wrote, among other things, *Idea of a Patriot King*. — 14 **patriot president**: note how skillfully a general summary and an appeal are combined; the "patriot president" is confronted with the same problems, and to him is ascribed the same virtues, that Curtis has throughout the oration expounded and urged.

THE RACE PROBLEM IN THE SOUTH — GRADY

Bibliography. Two collections of Grady's works have been published. The better, though incomplete, edition is edited by Joel Chandler Harris: *Henry W. Grady, His Life, Writings, and Speeches* (1890). Another edition is the *Life and Labors of Henry W. Grady*. Four of his orations have been edited by Edna H. L. Turpin, in Maynard's English Classics Series. Articles on Grady by his associate editor on the *Constitution*, Mr. Clark Howell, will be found in the *Chautauquan*, XXI, 703, and in the *Arena*, II, 9. For other magazine articles, consult Poole's Index.

Chronology of Published Speeches and Orations. 1886 — The New South. 1887 — The South and Her Problems; The "Solid South"; Prohibition in Atlanta. 1889 — Against Centralization; The Farmer and the Cities; The Race Problem in the South; Speech before the Bay State Club, Boston.

215 8 **Happy am I that this mission,** etc.: note the skillful transition. — 28 **I spoke some words,** etc.: the speech on the "New South," referred to in the Introduction to the speech in this volume.

216 16 **the fairest and richest domain of this earth,** etc.: Mr. Marion J. Verdrey says, "Grady could invest the most trifling thing with proportions of importance not at all its own. He could transform a homely thought into an expression of beauty beneath his wondrous touch." Find examples here and elsewhere in this speech.

217 14 **El Dorado**: a fabulous region of South America, abounding in gold and gems. By extension, any country rich in natural resources.

221 1 **The President**: Benjamin Harrison. — 22 **enormous crop**: the cotton crop of 1905 was over 12,000,000 bales.

224 15 **Regulators**: members of unauthorized associations formed for carrying out a rough substitute for justice in the case of heinous or notorious crimes.

227 23 **"forty acres and a mule"**: at the close of the war the negro vote was solicited by the "carpet-baggers," who quoted Lincoln as saying that if the Republican party were kept in power, each negro should have "forty acres and a mule."

228 9 **as Elisha rose,** etc.: 2 Kings ii. 9–12. — 24 **force bills**: the semi-military government during the Reconstruction period. A proposed "Federal election law" was pending before Congress at the time this speech was delivered. This "Force Bill" provided that Federal troops might be used to prevent the intimidation of negroes at the polls. The bill was so palpably a partisan measure that the opposition to it was largely responsible for the election of Mr. Cleveland as President for a second term.

231 15 **Cyrenian**: Luke xxiii. 26. — 18 **"And suddenly Ethiopia,"** etc.: Psalms lxviii. 31.

232 1 **Hamilcar**: the famous Carthaginian general (third century B.C.) who made his young son Hannibal swear eternal hostility to Rome.

Queries. Is this speech logical as a whole? Considered as an argument, what is the main issue? Is any solution of the race problem offered? Is the speech, as a whole, primarily an argument or a plea?

THE PURITAN AND THE CAVALIER — WATTERSON

Mr. Watterson's publications are mentioned in the Introduction. One or two magazine articles on phases of his life and work will be found cited in Poole's Index.

Chronology of Principal Addresses. 1870 — Eulogy of George Dennison Prentice. 1873 — The American Newspaper. 1874 — A Plea for

Provincialism. 1877 — The South in Light and Shade (a lecture); The Nation's Dead; The Electoral Commission Bill. 1883 — The New South. 1888 — Money and Morals (a lecture). 1891 — Let Us have Peace. 1892 — Our Expanding Republic (at the World's Fair, Chicago). 1894 — Compromises of Life (a lecture). 1895 — Abraham Lincoln (a lecture); a Welcome to the Grand Army. 1896 — England and America. 1897 — The Puritan and the Cavalier. 1898 — The Reunited Sections; Eulogy of Francis Scott Key. 1899 — God's Promise Redeemed. 1901 — The Man in Gray; Reciprocity and Expansion. 1902 — Eulogy of John Paul Jones; Heroes in Homespun. 1903 — The Hampton Roads Conference; The Ideal in Public Life; Blood Thicker than Water. 1906 — Speech of Welcome, Old Home Week, at Louisville, Kentucky.

237 1 **Eleven years ago . . . a young Georgian**, etc.: Grady in his "New South" speech, 1886. — 31 **ate no fire in the green leaf**, etc.: compare Luke xxiii. 31.

238 4 **"A plague o' both your houses"**: *Romeo and Juliet*, III, 1.

239 13 **The ambassador**: James B. Eustis, of Louisiana. — 20 **Custer**: a Union officer in the Civil War; **Rupert**: fought in the English Civil War against Cromwell. — 26 **Ethan Allen . . . John Stark . . . Wayne . . . Putnam . . . Buffalo Bill**: all from the North, but possessing Cavalier characteristics.

240 5 **Scarlet Woman**: a common designation of the Church of Rome, symbolizing its vices and corruption. — **mailed hand**: military rule. — 21 **Cavalier sprays and Puritan branches**: on his father's side, Lincoln was descended from a Quaker family, of English origin, residing in the middle of the eighteenth century in Berks County, Pennsylvania. His mother, Nancy Hanks, belonged to a Virginia family. — 34 **this noble city . . . redeemed from bondage**: the anti-Tammany rule of Mayor Low.

241 4 **Smithfield**: formerly a recreation ground in London, north of St. Paul's. It was noted in the time of Queen Mary as the place for burning heretics at the stake. — 9 **Hester Prynne**: the principal character of Hawthorne's *Scarlet Letter*. — 13 **Endicott**: governor of Massachusetts Colony 1649–1665; a zealous Puritan and persecutor of the Quakers, four of whom were executed under his administration. — 14 **Winthrop**: predecessor of Endicott as governor of Massachusetts. He opposed Vane, Anne Hutchinson, and the Antinomians. (See **160** 8 and **162** 29, notes.) — 27 **Cotton Mather** (1663–1728): took an active part in the persecutions for witchcraft.

EULOGY OF ROBERT E. LEE — DANIEL

Mr. Daniel's speeches and orations have not as yet been put into permanent form. The occasion of the oration in this volume, with a historical sketch of the Lee Memorial Association, is described in a pamphlet published by Washington and Lee University, 1883.

244 7 **Arlington**: during the Civil War the property was seized by the government, for which compensation has since been made to Lee's heirs. The estate is now the site of a national cemetery — one of the largest and most beautiful in the United States. The old Lee mansion, with its stately portico, is a fine specimen of colonial architecture. — 28 **fierce love of liberty**: see **28** 7, where Burke speaks of the "fierce spirit of liberty" in the colonies. In a minor argument (omitted from the text of this volume) Burke contends that the spirit of liberty is the more "high and haughty" in Virginia and the Carolinas because of slavery. With the Southern colonists, he says, "freedom is not only an enjoyment, but a kind of rank and privilege."

245 5 **Home**: anticipatory of **251** 11–24.

248 25 **Francis Preston Blair**: born in Virginia, but an active Union man. The Hampton Roads Peace Conference of February 3, 1865, was a result of his labors.

253 29 **Islands of the Blest**: also called the Fortunate or Happy Islands. They were originally imaginary isles in the western ocean where the souls of the good are made happy. With the discovery of the Canary and Madeira islands the name became attached to them.

255 25 **"On this green bank,"** etc.: inexactly quoted from Emerson's hymn at the dedication of the Concord Monument. — 31 **Valentine**: a distinguished Virginian sculptor. — 33 **"Joyous Gard"**: "La Joyeuse Garde," in mediæval romance, was the castle of Lancelot of the Lake, given him by Arthur for his defense of the queen's honor.

EULOGY OF ULYSSES S. GRANT — PORTER

Bibliography. Some of the best of General Porter's numerous after-dinner speeches are contained in Reed's *Modern Eloquence*, III, 897–943 inclusive, and articles on and by him will be found in the files of the magazines and reviews. General Porter is the author of *Campaigning with Grant* and *West Point Life.*

Besides the oration in this volume, his other notable orations and speeches have been: as orator at the inauguration of the Washington Arch, New York, May 4, 1895; at the dedication of Grant's Tomb, New York, April 27, 1897; at the inauguration of the Rochambeau Statue, Washington, May 24, 1902; and at the centennial of the foundation of the West Point Military Academy, June 11, 1902.

The speech may well be viewed as a model of the briefer form of eulogy. Senator Daniel's oration is an example of the more formal and elaborate eulogy, his address as a whole (which is here considerably abridged from the original text) being an exhaustive biographical review of Lee's life, with a sort of running commentary thereon. General Porter, it will be seen, eliminates the biographical method altogether, and confines

himself to the lessons of Grant's life. The main facts of his life are incidentally alluded to, by way of illustration, but the theme is, What were the qualities which made Grant a great man? By way of introduction, the speaker presents for consideration the fact that Grant's life is unique in its striking contrasts (paragraph 2); then considers his soldierly qualities (paragraphs 3 and 4); then his loyalty (paragraph 5); he next shows that it required great emergencies to call forth his powers (paragraph 6); then follows a summarizing eulogy, with the equestrian statue as a text (paragraph 7); and the Conclusion shows the devotion of the old soldiers by an incident of their General's last sickness. Thus are the really essential facts of Grant's life woven into the fabric of the speech with consummate skill, yet all the while the warp of the thought-fabric is the aforementioned theme.

259 9 **the heavy columns in the center**: an allusion to the large columns in the room in which he was speaking. — 18 **the tragedy on Mount McGregor**: on June 16, 1885, Grant was taken to the Joseph W. Drexel cottage at Mount McGregor, near Saratoga, New York, as to a sanatorium, and died there on July 23. — 31 **striding through the palaces of the Old World**, etc.: after retiring from the presidency, General Grant made a tour around the world, and was received at foreign courts with honors reserved for sovereigns. Note how well the antithetical sentences correspond to the central thought.

261 9 **"Let us have peace"**: Grant made use of this famous phrase in his letter of acceptance of his first nomination for the presidency (May 20, 1868). — 12 **Gobelin tapestries**: the Gobelins were a family of dyers, who introduced the manufacture of tapestries in the fifteenth century, at Paris. Their manufactory was changed to a royal establishment under Louis XIV, about 1667. — 22 **this trait . . . led him to make mistakes**: the allusion is to Grant's career as President, which, in the common judgment, cannot be said to have been brilliant. He had a soldier's directness and honesty, while to political arts and chicanery he was a stranger. He strove to put the civil service on a meritorious basis, but the politicians would not sustain him, and he abandoned the effort. During his second term there were many frauds perpetrated on the government, and his Secretary of War resigned to escape impeachment for peculation. But no one believed the President in any way implicated in these dishonest schemes. It was felt that his own trustfulness and loyalty to men in whom he confided made him an easier victim of artful and unscrupulous schemers.

262 3 **variableness, nor shadow of turning**: see James i. 17. — 4 **the toga of Nessus**: Nessus, in Greek legend, was a centaur slain by Hercules. He attempted to run away with the latter's wife, Dejanira, but was shot by Hercules with a poisoned arrow. Nessus, in revenge, gave

Dejanira his tunic, declaring that the one to whom she gave it would love her exclusively. Dejanira gave it to her husband, who was devoured by poison as soon as he put it on; the garment clung to his flesh, which was torn off with it. *Query.* Is the simile an apt one? — 22 **State paper**: a message by President Grant accompanying his veto of the so-called "Inflation Bill." This bill, passed by Congress in 1874, provided for an increase of the currency of the country. — 26 **Alabama claims**: see **308** 24, note. — 27 **the miscreants who robbed him in Wall Street**: after returning from his trip around the world, Grant, finding his income insufficient for his family's support, became a partner in a banking house bearing the name of Grant and Ward. He took no part in the management. In May, 1884, the firm, without warning, suspended. It was found that two of the partners had been practicing a series of unblushing frauds, and had robbed Grant and his family of all they possessed.

263 6 **that magnificent tribute**, etc.: an equestrian bronze statue, surmounted upon a granite base, in Lincoln Park, Chicago. — 21 **an indescribably touching incident**: why is the incident described a fitting Conclusion? Compare Blaine's oft-quoted Conclusion, in his eulogy of Garfield.

THE IMMORTALITY OF GOOD DEEDS — REED

No life of Reed, or collection of his speeches, has as yet been published. His speeches were for the most part on political questions, delivered in Congress and during political campaigns. During his later life Mr. Reed wrote frequently for the leading reviews, usually on political subjects, and published Reed's Rules. Magazine articles on and by him may be found by consulting Poole's Index.

In the study of this oration, the student should note first the wisdom shown in the choice of a subject. Mr. Reed took a single, definite theme — which might otherwise be called a "Noble Use of Wealth" — as a moral to be drawn from Girard's life, and did not dissipate the force of a single impression by including such topics as the Life of Girard, the History of Girard College, etc.; these are alluded to, but only so far as they aid in enforcing the main line of thought.

The following outline facts regarding Girard's life and Girard College will assist in understanding many of the allusions in the address as a whole.

Stephen Girard was born May 24, 1750, at Bordeaux, France. When eight years old he met with an accident by which the sight of his right eye was destroyed. At the age of thirteen, following the custom of the Girard family generally, he commenced life as a sailor, and was so assiduous and successful that he became master and captain of a vessel at the early age of twenty-three. His first mercantile

venture was to Santo Domingo in 1774, whence he proceeded to the then colony of New York. After trading with marked success for two years between New York, Port au Prince, and New Orleans, he went to Philadelphia in May, 1776, and gave up the sea for a mercantile career, though he continued in the shipping business.

In 1793, while he was engaged most successfully in the prosecution of an extensive trade, an epidemic of yellow fever broke out in Philadelphia, sweeping away one sixth of its population. A reign of terror, suffering, and desolation prevailed throughout the city. When, during its height, a hospital was established, for which it seemed almost impossible to secure competent management, Girard devoted himself personally, fearless of all risks, to the care of the sick and the burial of the dead, not only in the hospital, of which he became manager, but throughout the city, supplying the poorer sufferers with money and provisions. Two hundred children, made orphans by the ravages of the fever, were in a great measure thrown upon his care. From this period his success, commercially and financially, was unexampled. He gave a portion of his time to the management of municipal affairs for several years, and served as director of many public institutions. On the dissolution of the Bank of the United States he instituted what is known now as the Girard Bank. During the War of 1812 he rendered valuable services to the government by placing at its disposal the resources of his bank, subscribing to a large loan which the government had vainly sought to obtain.

Mr. Girard was married in 1777 to Mary, or "Polly," Lum, the daughter of a Philadelphia shipbuilder. She was distinguished for her personal beauty and her noble virtues. About three years after the marriage she became insane, and was placed in the Pennsylvania Hospital. There she gave birth to a child, which died in a few months. Mrs. Girard remained an inmate of the hospital for twenty-five years, and died there in 1815.

Mr. Girard was a man with a strong will and indomitable energy, somewhat eccentric, but a man "whose word was as good as his bond." "By residence he belonged to Philadelphia, by faith to the Roman Catholic Church; but in a truer, wider sense he belonged to no city, to no sect, but to the people, to the cause of the greatest good for all men. . . . Poor, struggling, full of ambition, full of hope in his youth; active, determined, enterprising, and charitable in the prime of life; mourned and regretted in his death,—such was the life of the most eminent philanthropist of his time." He died December 26, 1831, leaving a fortune of about seven and a half millions of dollars, he being the first millionaire that this country had produced.

Girard College was founded by him for the education and support of the poor white orphans of his adopted city. After various specific annuities and bequests to relatives, charities, and the city of Philadelphia, he bequeathed the residue of his estate to the city of Philadelphia for the founding and maintenance of the college. In his will the most minute directions are given in regard to the buildings to be erected, and the admission and management of the students. He specifically requires that the orphans be instructed in the purest principles of morality; that there be formed and fostered in their minds an attachment

to our republican institutions; and that "no ecclesiastic, missionary, or minister of any sect whatsoever, shall ever hold or exercise any station or duty in said college; nor shall any such person ever be admitted for any purpose, or as a visitor, within the premises appropriated to the purposes of said college." This last-named provision gave rise to the famous Girard Will contest, instituted by the heirs-at-law in 1836, and argued in 1844 before the United States Supreme Court by Daniel Webster as leading counsel for the contestants. Webster knew that he had a weak case in point of law, so he went boldly outside the law and made "an impassioned appeal to emotion and prejudice." His plea was for the Christian religion, but the Supreme Court decided unanimously in favor of the college, Chief-Justice Story holding that an institution may be Christian without being sectarian, and that there could be religious instruction even though the minister, missionary, and ecclesiastic be excluded.

266 4 **the two great universities**: Cambridge and Oxford, situated on the banks of the Cam and the Isis (local name for the Thames), respectively.

267 26 **endowment income**: the endowment of Girard College, which included considerable real estate in and about Philadelphia, increased in value from $5,260,000 in 1831, to $26,925,000 in 1898 (when this address was delivered), or a fivefold increase. — 29 **mariner and merchant**: Mr. Girard so describes himself in the first sentence of his will.

268 1 **facts and things**, etc.: Mr. Girard says in his will, "I would have them taught facts and things, rather than words and signs."

269 25 **named his vessels after the great French authors**: four fine trading vessels, the pride of Philadelphia in their day, were respectively named by Girard the *Rousseau*, *Voltaire*, *Montesquieu*, and *Helvetius*.

270 13 **the man who was so unworthy to write his first biography**: the allusion is to one Stephen Simpson, who wrote the first biography (1832) of Mr. Girard. — 24 **Colonel Charters**: Francis Charters (1675–1732) — also Chartres and Charteris — was a notorious English gambler and profligate. By a combination of skill, trickery, and effrontery he acquired large sums of money by gambling; and by loaning the money thus obtained at exorbitant rates of interest he amassed a large fortune. In Pope's verses Charters's name is frequently introduced as a synonym of depravity and deviltry. When he knew that he was dying he expressed his willingness to give £30,000 to be assured that there was no hell, remarking at the same time that the existence of heaven was to him a matter of indifference. Following his death the April number of the *Gentleman's Magazine* (II, 718) contained the pungent epitaph by Dr. Arbuthnot, the concluding lines of which are: "Think not his life useless to mankind. Providence connived at his execrable

designs to give to after ages a conspicuous proof and example of how small estimation is exorbitant wealth in the sight of God, by His bestowing it on the most unworthy of all mortals." — Pope's *Works*, III, 129.

272 6 **the siege of Zutphen . . . death of Sir Philip Sidney**: Zutphen is a fortified town of Holland. Sidney was an officer in the English expedition to the Netherlands (1585–1586). Certain historians (for reasons best known to themselves) have questioned the truth of the famous incident at the battle of Zutphen (September 26, 1586), when Sidney, mortally wounded, passed a cup of water to a dying soldier. It is unquestioned, however, that he owed his death to an impulse of romantic generosity. The lord marshal happening to enter the field of Zutphen without greaves, Sidney cast off his also, to put his life in the same peril, and thus exposed himself to the fatal shot. — 13 **the charge of Balaklava**: during the Crimean war a series of engagements between the Russians and the Allies took place near Balaklava, October 25, 1854. Through a misconception of the general-in-chief's order the English Light Brigade was ordered to charge the Russian artillery. With a battery in front and on each side the Brigade hewed its way past the guns in front and routed the enemy's cavalry. Of 670 horsemen 198 returned. This charge has been immortalized by Tennyson in his "The Charge of the Light Brigade." — 23 **the tablet**: a marble sarcophagus and statue of Girard stand in the vestibule of the main building of Girard College. — 27 **sent forth a venture**: note the appropriateness of the figure used.

Queries. Does the Conclusion (paragraph 25) violate the law of sequence? Is it closely related to the four preceding paragraphs? Is the transition too abrupt?

TRIBUTE TO MARCUS A. HANNA — BEVERIDGE

A few of Mr. Beveridge's speeches have been issued in pamphlet form, and these are political discussions, — except an address delivered at the dedication of Indiana's monuments on the battlefield of Shiloh, Tennessee, April 6, 1903, which resembles closely the address in this volume.

274 9 **on and up . . . the true, the beautiful, and the good**: is the use of these trite phrases justifiable? The origin of the latter phrase is probably to be found in Victor Cousin's book, *Du vrai, du beau, et du bien.*

276 20 **rooftrees**: a rooftree is the beam in the angle of a roof; hence the roof itself. — 27 **Antæus**: a mythological giant who was invisible so long as he was in contact with the earth.

277 1 **Villon (1431–1484)**: one of the earliest French poets.

MARSHALL AND THE CONSTITUTION — COCKRAN

Bibliography. No books on or by Mr. Cockran have as yet been published. Most of the speeches by him that have appeared in print are newspaper reports. A few speeches have been issued in pamphlet form. A speech on the Negro Problem is published in the report of the proceedings of the Negro Conference, at Montgomery, Alabama, 1898. The oration in this volume is included in a work of two volumes, — *John Marshall: His Life, Character, and Judicial Services* (1903).

Chronology of Principal Orations and Speeches. 1895 — The Tariff; The Currency. 1896 — Honest Money (in answer to Mr. Bryan); The Irish Question (at a celebration of Robert Emmet's birthday). 1898 — The Negro Problem. 1900 — Labor and Capital; Expansion and Wages; Imperialism. 1901 — John Marshall and the Constitution. 1904 — The American Merchant Marine; The Issue of 1904; Executive Usurpation.

281 21 **the battered gateways of Far Cathay**: the invasion of China by the allied armies during the Boxer uprising of 1900.

283 10 **Danton** (1759–1794) was thrown into prison by Robespierre, his rival as leader of the French Revolution. Five days afterwards he was condemned by a revolutionary tribunal, and executed the same day.

284 22 **the greatest Englishman of modern times**: Gladstone. — 24 **Marshall found a plan**, etc.: compare this sentence with Webster's saying of Hamilton: "He smote the rock of our national resources, and abundant streams of revenue gushed forth; he touched the corpse of our public credit, and it sprang upon its feet."

286 29 **United States against Fisher**: 2 Cranch 358.

287 12 **mandamus to Judge Peters**: 5 Cranch 115. — 21 **case of Hunter's Lessee**: 3 Dallas 305. — 33 **Marbury against Madison**: 1 Cranch 115.

288 6 **Gibbons against Ogden**: 9 Wheaton 1. — 9 **Brown against the State of Maryland**: 12 Wheaton 419. — 24 **Dartmouth College case**: 4 Wheaton 518.

289 1 **to summarize**, etc.: see **285** 6–15.

INTERNATIONAL ARBITRATION — SCHURZ

Bibliography. Mr. Schurz wrote one of the best biographies of Henry Clay, for the American Statesmen Series, and also a biography of Lincoln, for the Chautauqua Series. His Autobiography was running in *McClure's Magazine* at the time of his death. A volume of his most important speeches on slavery and the Civil War was published in 1865. After that date his principal public addresses were those in the Senate, — on the annexation of Santo Domingo, the sales of arms, the currency, and general amnesty in the South; his eulogy on Charles

Sumner; his speeches in the presidential campaign of 1884, in support of Mr. Cleveland, and in the campaign of 1896, in opposition to Mr. Bryan's monetary theories; and his addresses on civil service reform and international arbitration.

The oration in this volume may well be studied primarily as an argument, — for such it is, — and to that end the student should make a brief of it, following the plan outlined in detail under the notes on Burke. Such a brief will show at a glance the way in which the ideas and arguments are marshaled under the different divisions, — the logical sequence and clearness of the thought-expression, the unity in paragraph structure, the plain, direct style, and the unity, coherency, and convincingness of the oration as a whole.

296 1 **I . . . address you,** etc.: note how the speaker plunges at once into his argument. Why was a further Introduction (which might be considered as ending with the first sentence) unnecessary? — 11 **Hugo Grotius's time**: Grotius (1583–1645) was a celebrated Dutch jurist, theologian, statesman, and poet, the founder of the science of international law. His chief work, published in 1625, is *De jure belli et pacis.*

297 6 **preclude war**: the general line of argument here advanced is expressed by David Starr Jordan, in his customary epigrammatic style, as follows: "The day of the nations as nations is passing. National ambitions, national hopes, national aggrandizements: all these may become public nuisances . . . The men of the world as men, not as nations, are drawing closer together. The needs of commerce are stronger than the will of nations, and the final guarantee of peace and good will among men will be not 'the parliament of nations,' but the self-control of men."

300 23 **Venezuela message**: on December 17, 1895, President Cleveland submitted to Congress a special message concerning a long-standing dispute between Venezuela and Great Britain over their respective boundaries in South America. In 1887 the dispute had resulted in the breaking off of diplomatic relations between the two countries. On February 20, 1895, at the suggestion of the President, Congress, by joint resolution, recommended to Great Britain and Venezuela the reference of their dispute to friendly arbitration, but Great Britain refused. Then followed the message referred to, in which the President said:

"If a European power, by an extension of its boundaries, takes possession of the territory of one of our neighboring republics against its will, . . . this is the precise action which President Monroe declared to be 'dangerous to our peace and safety.' . . . Having labored faithfully for many years to induce Great Britain to submit this dispute to

impartial arbitration, and having been finally apprised of her refusal to do so, nothing remains but to accept the situation, . . . and to deal with it accordingly . . . . It is now incumbent upon the United States to determine . . . what is the true divisional line between the republic of Venezuela and British Guiana. . . . I suggest that the Congress provide for a commission to make the necessary investigation and report. When such report is made and accepted, it will, in my opinion, be the duty of the United States to resist by every means in its power . . . the appropriation by Great Britain of any lands which of right belong to Venezuela."

In England the publication of the message caused profound agitation and amazement, and aroused no little resentment. In Congress the message was received with approval, and the press, for the most part, applauded it as American, vigorous, and just. But there were men of influence in and out of Congress who questioned the President's interpretation of the Monroe Doctrine, and the wisdom of confronting Great Britain with an implied threat of war before the merits of the dispute were determined. The following year, however, Great Britain receded from her former refusal (Secretary Olney having promised that undisputed possession of any territory for fifty years should be conclusive evidence of title, thus giving Lord Salisbury an opportunity for a graceful withdrawal) and the dispute was happily settled by arbitration. On January 2, 1896, before the New York Chamber of Commerce, Mr. Schurz delivered a strong speech on this question, deprecating the prevailing "jingoism" and favoring arbitration, — pursuing the same general line of argument found in the oration in this volume.

303 24 Cushing (1842–1874): an American naval officer, noted on account of his exploit in blowing up the Confederate ironclad ram *Albemarle* at Plymouth, North Carolina, on the night of October 27, 1864. He attacked her in a small launch carrying a torpedo. Forcing his way within the chain of logs which formed part of her defense, he exploded the torpedo under the ram's overhang. — **28 what a mocking delusion**: what kind of argument is here employed? Mr. Schurz's refutation of alleged reasons for war suggests also the assertions frequently heard immediately following our war with Spain, — which occurred two years after this address was delivered, — that the war had aroused the spirit of national patriotism, and had been especially helpful in reuniting the North and the South.

304 19 I have seen war: Mr. Schurz's war record is one of which he may well be proud. In the spring of 1863 he was commissioned a major-general, for meritorious services. Soon thereafter, President

Lincoln, reviewing the army of the Potomac, pronounced Schurz's division the most soldierly in the line. His troops, at a heavy loss, checked the advance of Jackson at Chancellorsville; and at Gettysburg, in the defense against the world-famed charge of Pickett, his artillery was used with fearful effect. In concluding a review of Schurz's military career, Dr. A. Jacobi, who participated with him in the revolutionary movement for constitutional liberty in Germany, says: "Thus closed the military career of a man who, at the outbreak of the war, mastered the problems of strategy and tactics, who was rapid in combinations under fire, who, as his men often boasted, was always himself seen 'on the firing line,' who was wise in counsel, magnanimous in victory, the friend of the fallen foe, and among the first to hold forth the hand of reunion and fellowship."

308 24 **Alabama case**: the *Alabama* was a wooden steam-sloop built for the Confederate States at Birkenhead, England. Her commander was Captain Semmes, of the Confederate navy. Her crew and equipment were English. She cruised from 1862 to 1864, destroying American shipping, and was sunk by the *Kearsarge*, off Cherbourg, France, June 10, 1864. Claims for damages were preferred against Great Britain by the United States for the losses caused by this and other ships which were fitted out or supplied in British ports under the direction of the Confederate government. Thereupon each country appointed a commission of representatives for the adjustment of such claims. The commission met at Washington, and on May 8, 1871, concluded a treaty, known as the "Treaty of Washington," which referred the claims to a tribunal to be composed of five members, named respectively by the governments of the United States, Great Britain, Italy, Switzerland, and Brazil. The United States claimed, in addition to direct damages, consequential or indirect damages; while Great Britain contended against any liability whatever, and especially against any liability for indirect damages. The tribunal awarded a gross sum of $15,500,000 in gold to the United States in satisfaction for all claims.

310 19 **Therefore**, etc.: note the impact of the brief Conclusion, and the effectiveness of the direct address. Would a general summary of the arguments at the opening of paragraph 27 strengthen it?

OPPORTUNITY—SPALDING

Bibliography. Bishop Spalding has written: *Essays and Reviews; The Religious Mission of the Irish People; America and Other Poems; Songs: chiefly from the German; Aphorisms and Reflections.* His orations and addresses are included in a series of six volumes dealing with

educational, sociological, and religious topics, as follows: *Education and the Higher Life; Things of the Mind; Thoughts and Theories of Life and Education; Opportunity, and Other Essays and Addresses; Religion, Agnosticism, and Education; Socialism and Labor and Other Arguments.* A memorial volume, commemorative of the opening of Spalding Institute, 1898, treats of Bishop Spalding and his work.

Chronology of Principal Addresses. 1899 — Empire or Republic; The University and the Teacher; The University: a Nursery of the Higher Life; Opportunity; The Patriot; Woman and the Higher Education. 1901 — Assassination and Anarchy. 1902 — An Orator and Lover of Justice (eulogy of John P. Altgeld).

The oration, which, as will be seen, is essentially a sermon, is a good example in the handling of a subject which is old, yet ever new, of truths often presented yet eternally true, and hence always of present interest. Such a subject, however, would rarely be a desirable one for a student to attempt, for to say anything new or original on it would be well-nigh impossible. The originality must consist alone in original treatment, — in the new light thrown upon it, and in the fresh manner of expressing familiar truths, — and in this regard Bishop Spalding's style will repay careful study.

312 26 **Ouida** (1840–): Louise De la Ramée: an English novelist of French extraction.

316 4 **Abdiel**: the only servant in "Paradise Lost" (v. 896) who remained loyal when Satan incited the angels to revolt.

318 8 **Kimberley**: the center of the South African diamond fields. — 10 **one who knew how to look**: Cecil Rhodes.

SALT — VAN DYKE

Bibliography. Two small volumes, containing some of Dr. van Dyke's sermons and addresses, have been published: *The Open Door* and *Joy and Power.* A centennial oration, delivered at the University of Georgia, entitled "Ruling Classes in a Democracy," was published in the *Outlook* of November 23, 1901. References to magazine articles on Dr. van Dyke as a writer and preacher will be found in Poole's Index.

In striking contrast to many sermons, even a cursory reading of Dr. van Dyke's address will show its unity, clearness, cogency, and concreteness. The Introduction (paragraphs 1 to 8 inclusive) consists of an exposition of the text and its application. In the threefold division of the Discussion, as indicated by the Roman numerals, the initial sentence in each division is a key-sentence which contains the central thought of that division, to wit: I. Men of intelligence may exercise an influence for good in the world, if they will put their culture to right use (paragraph 9); II. Such men owe a duty to society in regard to the evils which corrupt and degrade it (paragraph 13); and III. In performing this duty, religion is essential (paragraph 20). The Conclusion is a strong, direct appeal to his hearers to do their part in the performance of such duties (paragraph 27).

332 5 **Bernardino of Siena** (1380–1444): an Italian Franciscan friar and famous preacher. — 8 **Fra Angelico** (1387–1455): one of the most celebrated of the early Italian painters. His works were made the models for religious painters of his own and succeeding generations. — 9 **Chevalier Bayard** (1475–1524): a French national hero, called "the knight without fear and without reproach." — 10 **Sir Philip Sidney**: see **272** 6, note. — **Henry Havelock** (1795–1857): an English general in India, famous in the relief of Lucknow, 1857. — **Chinese Gordon** (1833–1885): an English soldier who acted as adviser of the Chinese government in its relations to Russia in 1800. He was killed at the storming of Khartoum, Egypt. — 11 **Knights of the Holy Ghost**: *L'Ordre du Saint-Esprit* (The Order of the Holy Ghost) was an order of knighthood founded in 1578 by Henry III, king of France. — 16 **Howard** (1726–1790): an English philanthropist, best known for his work in behalf of prison reform. — **Wilberforce**: see **176** 18, note. — **Raikes** (1735–1811): an Englisher publisher, noted as a philanthropist. He was the founder of the modern Sunday school. — **Charles Brace** (1826–1890): an American author and philanthropist, associated in the early work of the "New York Children's Aid Society."

333 27 **Richard Porson** (1759–1808): an English classical scholar, famous for his knowledge of Greek. — 28 **Thomas Guthrie** (1803–1873): a Scottish clergyman, orator, and philanthropist.

336 14 **cast a vote**, etc.: in favor of Mr. Bryan for president.

337 22 **Ring in the valiant man and free**, etc.: from Tennyson's "In Memoriam."

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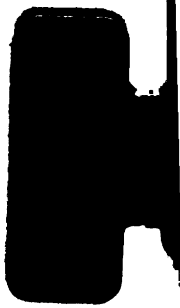

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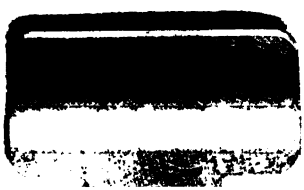
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